

**Thompson, Lisa M FLNR:EX**

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**From:** Thompson, Lisa M FLNR:EX  
**Sent:** Tuesday, December 1, 2015 9:00 AM  
**To:** Tate, Austin FLNR:EX  
**Cc:** 'rob@rnnservices.ca'  
**Subject:** Interest in Competitive Process - Patry Quarry Area - land file 8015658

Good morning Austin.

Please be advised that Rob Neville has expressed interest in participating in a competitive process (sand and gravel quarry) on Crown land located in the Patry area (land file 8015658). I have informed Rob that he will be contacted once the competitive process is set up. His telephone number is 250-775-1700 and he has been cc'd on this note.

Thank you

***Lisa Thompson, RFT***  
***Senior Authorizations Specialist***

Ministry of Forests, Lands and Natural Resource Operations  
RR1 Mile 301 Alaska Hwy. Fort Nelson, BC  
VOC 1R0  
Tel: (250) 774-5510  
Fax: (250) 774-3704

## Thompson, Lisa M FLNR:EX

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**From:** Thompson, Lisa M FLNR:EX  
**Sent:** Thursday, December 10, 2015 9:21 AM  
**To:** Jim Little  
**Cc:** Tate, Austin FLNR:EX  
**Subject:** FW: Applications by MFLNRO and Radar Road Transport Ltd File#8015658  
**Attachments:** File #801565820151209.pdf

Hello Austin – for your file

---

**From:** Jim Little s.22  
**Sent:** Wednesday, December 9, 2015 2:40 PM  
**To:** Thompson, Lisa M FLNR:EX; 'SPLETZER, Erwin (SUTCL)'  
**Subject:** Applications by MFLNRO and Radar Road Transport Ltd File#8015658

Lisa I am attaching a letter that I have written on behalf of Interoute Construction Ltd. The parcel of land in question has been of interest to Interoute for some time and we have kept track of it as outlined in the attached letter. Initially it was a Forestry Reserve for Canfor and Canfor had a camp on the site which they sold to Percy Wright. The camp site was partitioned off so that a tenure could be allowed for the camp. Canfor continued to hold the site until April 2014 under a government reserve (tenure). Canfor had used the site for the camp that was there and for aggregate removal for roads in the area.

A Section 16 reserve for marketing was then placed on the area. Your office advised that no application could be made on the area and that this area would be placed for public competition similar to another parcel east of the subject and immediately south of the Liard Highway. It came to a very much surprise to find that an application had been accepted over the area without any competition being advertised for the availability of this site.

We are sending this letter to identify the fact that the current application should either be disallowed in favour of a public competition for the site or used as an application of interest in such competition.

Please advise what the next process will be for this parcel.

James Little RPF, P.Ag.

I will forward a hard copy of the letter and attachments to your office this week but felt due the **importance of the issue** it should be sent electronically.



Interoute Construction Ltd.

Interoute File – Patry Mainline

December 9, 2015

MFL&NRO File #8015658

FrontCounter BC

Attention: Lisa Thompson, Senior Authorization Specialist.

**Reference: Your File#8015658, Initial Information indicated this was to go for Public Disposition (Nov 18, 2014). New application dated Oct 30, 2015 accepted and no reference to public disposition?**

---

We were advised in meetings in Fort Nelson when discussing file #8014152 and File #8015329 plus other files adjacent to the file under review that the subject area was necessary to be placed for public competition once the former reserve had expired. One meeting date of note was October 9<sup>th</sup>, 2014.

This area was under reserve/tenure for Forestry Purposes (Canfor) until April 2014. Further inquiry of this file was made after that time and we were advised that the area would have to be placed for public competition since it had been under reserve.

An application for a reserve to cover the area was made by the MFLNRO and shown in "Application and Reasons for Decisions" November 18<sup>th</sup>, 2014. We had asked about this file on October 9<sup>th</sup>, 2014 and were assured that the area would be placed for public competition because of the demand for aggregate in the area. No correspondence or mention of such competition has been made since November 18<sup>th</sup>, 2014.

The recent advertisement of Radar Road Transport Ltd suggests that applications are now being taken on this parcel of land. We can only assume that there will be a public competition over the area since that is what your office stated would happen when we requested information on the parcel.

What is the process your office will be using for this public competition? Have you assigned a closing date for further applications as it suggested that comments would close on November 29<sup>th</sup>, 2015? We receive our copies of the Fort Nelson News at least a week later than when they are published in Fort Nelson so it is almost impossible to meet your suggested closing date.

Since your office has stated that this area will be placed for public competition please advise what the process for that competition will be.



Interoute Construction Ltd.

Contact me either via email<sup>s.22</sup> or phone 250-785-5365 or Erwin  
Spletzer at [erwin.spletzer@terusconstruction.ca](mailto:erwin.spletzer@terusconstruction.ca).

Yours sincerely,

A handwritten signature in cursive script that reads 'James Little'.

James Little RPF, P.Ag.  
Agent for: Interoute Construction Ltd.  
Attachments: Copies of "Applications and Reasons for Decisions" mentioned in letter.  
Pc: Interoute Construction Ltd.



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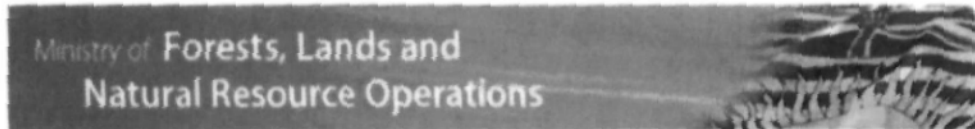


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## Applications and Reasons for Decision

**[ PENDING : APPLICATION UNDER REVIEW ]**

**Client:** Ministry of Forests, Lands and Natural  
Resource Operations

**Nov 18, 2014**

**Purpose:** MISCELLANEOUS LAND USES/OTHER

**Region:** Peace, Ft. St. John

**Agency:** Crown Land Allocation

**File:** #8015658

**Location:** Patry Mainline/Fort Nelson River

**Area (Hectares):** 4.4

**BCGS Mapsheet:** 940024

**Legal Description:** That parcel or tract of Unsurveyed Crown Land in the vicinity of the Fort Nelson River (within Unit 71, Block L, 94-O-03), Peace River District, containing 4.45 hectares, more or less.

Section 16 Map Reserve - Competitive area for sand and gravel quarry.



Reserve Application  
[application/pdf]



Ortho Map  
[application/pdf]



Maps  
[application/pdf]

### DECISIONS

**NOTICE:** No decisions have been made for this application at this time.

### END DECISIONS

Comments for this application will be received until 2014-12-18.  
To comment on this application please click [ [here](#) ].

Did this article contain the information you required? [ [Yes](#) | [No](#) | [Cancel](#) ]

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## Ministry of Forests, Lands and Natural Resource Operations

### Applications and Reasons for Decision

**[PENDING : APPLICATION UNDER REVIEW]****Client:** Radar Road Transport Ltd.**Oct 30, 2015****Purpose:** QUARRYING/SAND AND GRAVEL**Region:** Peace, Ft. St. John**Agency:** Crown Land Allocation**File:** #8015658**Location:** Patry Mainline**Area (Hectares):** 4.45**BCGS Mapsheet:** 94O024**Legal Description:** That parcel or tract of Unsurveyed Crown Land in the vicinity of the Fort Nelson River (within Unit 71, Block L, 94-O-03), Peace River District, containing 4.45 hectares, more or less.

Proponent has applied for a Licence of Occupation for sand & gravel quarry on the Patry mainline.



Maps

[\[application/pdf\]](#)

### DECISIONS

**NOTICE:** No decisions have been made for this application at this time.

### END DECISIONS

Comments for this application will be received until 2015-11-29.  
To comment on this application please click [ [here](#) ].

Did this article contain the information you required? [ [Yes](#) | [No](#) | [Cancel](#) ]

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## Thompson, Lisa M FLNR:EX

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**From:** Thompson, Lisa M FLNR:EX  
**Sent:** Thursday, December 10, 2015 7:48 AM  
**To:** Tate, Austin FLNR:EX  
**Subject:** 8015658 - Call from Public - Preston Center City Paving

Hi Austin.

Preston from Center City Paving called and left his number – this is in regards to the fax I scanned and sent to you on Tuesday. His contact number is s.22 . Please let me know if you would like to contact him or shall I?

Thank you

***Lisa Thompson, RFT***  
***Senior Authorizations Specialist***

Ministry of Forests, Lands and Natural Resource Operations  
RR1 Mile 301 Alaska Hwy. Fort Nelson, BC  
VOC 1R0  
Tel: (250) 774-5510  
Fax: (250) 774-3704

**Thompson, Lisa M FLNR:EX**

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**From:** Rick Seidel <radarrd@northwestel.net>  
**Sent:** Tuesday, December 8, 2015 10:19 AM  
**To:** Tate, Austin FLNR:EX  
**Subject:** Re: Rick and Carol Seidel Patry Aggregate Application.

Hello Austin are you able to give me call. I m a bit confused as mines has accepted my application. Victor with mines has requested the security deposit on this quarry.

----- Original Message -----

From: "Tate, Austin FLNR:EX" <[Austin.Tate@gov.bc.ca](mailto:Austin.Tate@gov.bc.ca)>  
Date: Tuesday, December 8, 2015 10:34 am  
Subject: Rick and Carol Seidel Patry Aggregate Application.  
To: Radar Road Transport <[radarrd@northwestel.net](mailto:radarrd@northwestel.net)>

>  
> Dear Rick and Carol  
>  
> Re: Licence of Occupation Application 8015658  
>  
> Currently, Forests, Lands and Natural Resource Operations (FLNR) is proceeding with your application for a Licence of Occupation on the Party Mainline near the Fort Nelson River. Multiple companies have come forward expressing interest in this parcel of Crown land. These companies have been directed to submit applications through the FrontCounterBC process. If applications are received prior to FLNR making a decision on your application then a competitive process will be used to fairly and equitably dispose of this resource. I will be sure to keep you informed as to how things are transpiring regarding this application.  
>  
> If you have any further questions or concerns please do not hesitate to give me a call or send me an email.  
>  
> Thank you,  
>  
>  
> **Austin Tate Teti, RPF**  
> **Authorizations Specialist/District Engineering Officer**  
>  
> **Ministry of Forests, Lands and Natural Resource Operations**  
> **Fort Nelson District**  
> Fort Nelson, BC  
> RR#1, Mile 301 Alaska Highway  
> VOC 1R0  
> Tel: 250-398-4395  
> Fax: 250-774-3704  
> E-mail: [Austin.Tate@gov.bc.ca](mailto:Austin.Tate@gov.bc.ca)  
>



**Thompson, Lisa M FLNR:EX**

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**From:** Tate, Austin FLNR:EX  
**Sent:** Tuesday, December 8, 2015 1:23 PM  
**To:** s.22  
**Subject:** Patry Aggregate Tenure Application Required

Dear Doug Gordon,

Recently you inquired with the Ministry of Forests, Lands and Natural Resource Operations (FLNR) about the availability of a Crown parcel of land on the Patry Mainline near the Fort Nelson River Bridge. For a competitive process to be initiated you will need submit an aggregate tenure application through FrontCounterBC. This will include an application fee, Management Plan as well as, other relevant information.

Currently, FLNR has one aggregate tenure application that it is processing for this parcel of Crown land. Therefore, FLNR will continue with the application process until such time as another application is submitted for the same area. If an application is not submitted by the time the Crown has sent an offer letter to the proponent then it will be too late.

Information concerning the competitive process will be sent to you once your application has been submitted and accepted by FrontCounterBC.

If you have and further question or concerns please do not hesitate to give me a call or send me an email.

Thank you,

**Austin Tate Teti, RPF**

**Authorizations Specialist/District Engineering Officer**

**Ministry of Forests, Lands and Natural Resource Operations**

**Fort Nelson District**

Fort Nelson, BC

RR#1, Mile 301 Alaska Highway

VOC 1R0

Tel: 250-398-4395

Fax: 250-774-3704

E-mail: [Austin.Tate@gov.bc.ca](mailto:Austin.Tate@gov.bc.ca)

**Thompson, Lisa M FLNR:EX**

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**From:** Tate, Austin FLNR:EX  
**Sent:** Tuesday, December 8, 2015 11:45 AM  
**To:** 'Rob Neville'  
**Subject:** Patry Gravel Quarry Application Required

Dear Rob Neville,

Recently you inquired with the Ministry of Forests, Lands and Natural Resource Operations (FLNR) about the availability of a Crown parcel of land on the Patry Mainline near the Fort Nelson River Bridge. For a competitive process to be initiated you will need submit an aggregate tenure application through FrontCounterBC. This will include an application fee, Management Plan as well as, other relevant information.

Currently, FLNR has one aggregate tenure application that it is processing for this parcel of Crown land. Therefore, FLNR will continue with the application process until such time as another application is submitted for the same area. If an application is not submitted by the time the Crown has sent an offer letter to the proponent then it will be too late.

Information concerning the competitive process will be sent to you once your application has been submitted and accepted by FrontCounterBC.

If you have and further question or concerns please do not hesitate to give me a call or send me an email.

Thank you,

**Austin Tate Teti, RPF**

**Authorizations Specialist/District Engineering Officer**

**Ministry of Forests, Lands and Natural Resource Operations**

**Fort Nelson District**

Fort Nelson, BC

RR#1, Mile 301 Alaska Highway

V0C 1R0

Tel: 250-398-4395

Fax: 250-774-3704

E-mail: [Austin.Tate@gov.bc.ca](mailto:Austin.Tate@gov.bc.ca)

## Thompson, Lisa M FLNR:EX

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**From:** Thompson, Lisa M FLNR:EX  
**Sent:** Tuesday, December 8, 2015 2:19 PM  
**To:** Tate, Austin FLNR:EX  
**Subject:** Public Comments re: Radar Road application 8015658  
**Attachments:** Scan\_20151208.pdf

**From:** LTHOMPS [<mailto:Lisa.Thompson@gov.bc.ca>]  
**Sent:** Tuesday, December 8, 2015 3:17 PM  
**To:** Thompson, Lisa M FLNR:EX  
**Subject:** Scan From

Preston Johnathon Stewe  
Box 847  
Prince George, BC  
V2L 4T7

December 7, 2014

Ministry of Forests, Lands and Natural Resources  
Fort Nelson District, North East Region  
RR1 – Mile 301 Alaska Highway  
Fort Nelson, BC V0C 1R0

*Delivered via Fax*

Attn: Lisa Thompson, Senior Authorization Specialist  
Tel: (250) 774-5510  
Fax: (250) 774-3704

**Re: Disposition of Crown Land File#8015658 – Request for Comment**

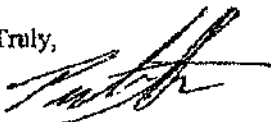
Dear Lisa:

We understand from the attached advertisement taken from the Fort Nelson News that the Ministry of Forests, Lands and Natural Resources intends to issue a Licence of Occupation to Radar Road Transport Ltd. for a 4.45ha area of Crown Land and has requested written comments concerning this application.

Given that this land tenure is located on the Patry Mainline which is in high demand for aggregates, we have concerns regarding the disposition of this crown land tenure directly to Radar Road Transport Ltd. We also of the understanding that this tenure was previously set aside for a competitive process in November 2014.

We are not aware of any public competitive process being issued for this tenure. We would respectfully request that this tenure be issued through a public competitive process in which all parties with an interest in the area would have an opportunity to respond.

Yours Truly,



Preston Johnathon Stewe

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Withheld pursuant to/removed as

DUPLICATE



## REASONS FOR DECISION

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Date: May 12, 2015

**FILE NUMBER:** 8015658  
**APPLICANT:** Ministry of Forests, Lands and Natural Resource Operations

**BACKGROUND:** Application for a Section 17 Designated Use Map Reserve in the vicinity of the Patry Mainline/Fort Nelson River, Peace River District, for the purpose of quarrying sand and gravel.

**DECISION:** OFFERED

### REASONS FOR DECISION:

The proposal is consistent with government policy.  
No significant impacts on the environment have been identified by mandated agencies.  
No significant impacts to Treaty Eight rights have been identified.

For More Information Contact:

Steve Lindsey  
District Manager  
Ministry of Forests, Lands and Natural Resource Operations  
Fort Nelson Natural Resource District

For more information see our website at <http://www.agf.gov.bc.ca/clad/index.html>  
(Click Tenure Overview & Program Information)

**Thompson, Lisa M FLNR:EX**

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**From:** Brynn Belfour <ncmi.brynn@gmail.com>  
**Sent:** Thursday, December 10, 2015 1:57 PM  
**To:** Tate, Austin FLNR:EX  
**Subject:** Patry Aggregate Tenure Application

Good afternoon Austin,

Doug Gordon would like to put in an application for the Crown parcel of land on the Patry Mainline near the Fort Nelson Bridge, I was informed to do so I would need either a map showing where the parcel land is located or a file number for the site. I was wondering if you would be able to provide me with either one of those items? Doug was also wondering when the application would have to be in by to qualify for the parcel land?

Thank you

Brynn Belfour, Administrative Assistant  
Peace Country Oilfield Contractors Ltd.  
North Country Maintenance Inc.  
Box 270, 7100 Alaska Highway  
Fort Nelson, BC V0C 1R0  
Phone: 250-774-6968  
Fax: 250-744-6556

**Thompson, Lisa M FLNR:EX**

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**From:** Tate, Austin FLNR:EX  
**Sent:** Tuesday, December 15, 2015 1:45 PM  
**To:** 'Rob Neville'  
**Subject:** Patry Gravel Tenure

Good afternoon Rob,

I sent you an email last week regarding your interest in the Radar Road Transport Ltd. gravel tenure application. We have had other interested parties and thus I am including you in the email that is going to everyone who expressed interest.

**Recently, you have expressed interest with the Ministry of Forests, Lands and Natural Resource Operations about the availability of a Crown parcel of land on the Patry Mainline near the Fort Nelson River Bridge. The Ministry of Forests, Lands and Natural Resource Operations will continue adjudicating the current application until such time that a second application is submitted. All applications that are submitted after the Crown has sent an offer letter to the current applicant will not be considered.**

If you have any further questions or concerns please do not hesitate to give me a call or send me an email.

Thanks,

**Austin Tate Teti, R.P.F.**  
**Authorizations Specialist/District Engineering Officer**

**Ministry of Forests, Lands and Natural Resource Operations**  
**Fort Nelson District**  
Fort Nelson, BC  
RR#1, Mile 301 Alaska Highway  
V0C 1R0  
Tel: 250-398-4395  
Fax: 250-774-3704  
E-mail: [Austin.Tate@gov.bc.ca](mailto:Austin.Tate@gov.bc.ca)



**From:** Tate, Austin FLNR:EX  
**Sent:** Tuesday, December 15, 2015 1:49 PM  
**To:** s.22  
**Subject:** Patry Gravel Tenure Interest

Good afternoon Preston,

Recently, you have expressed interest with the Ministry of Forests, Lands and Natural Resource Operations about the availability of a Crown parcel of land on the Patry Mainline near the Fort Nelson River Bridge. The Ministry of Forests, Lands and Natural Resource Operations will continue adjudicating the current application until such time that a second application is submitted. All applications that are submitted after the Crown has sent an offer letter to the current applicant will not be considered.

If you have any further questions or concerns please do not hesitate to give me a call or send me an email.

Thank you,

**Austin Tate Teti, R.P.F.**

**Authorizations Specialist/District Engineering Officer**

**Ministry of Forests, Lands and Natural Resource Operations**

**Fort Nelson District**

Fort Nelson, BC

RR#1, Mile 301 Alaska Highway

V0C 1R0

Tel: 250-398-4395

Fax: 250-774-3704

E-mail: [Austin.Tate@gov.bc.ca](mailto:Austin.Tate@gov.bc.ca)

**From:** Tate, Austin FLNR:EX  
**Sent:** Tuesday, December 15, 2015 3:00 PM  
**To:** 'Jim Little'  
**Subject:** Application for aggregate tenure on Section 17 Reserve

Good afternoon James,

Recently, you have expressed interest with the Ministry of Forests, Lands and Natural Resource Operations about the availability of a Crown parcel of land on the Patry Mainline near the Fort Nelson River Bridge. The Ministry of Forests, Lands and Natural Resource Operations will continue adjudicating the current application until such time that a second application is submitted. All applications that are submitted after the Crown has sent an offer letter to the current applicant will not be considered.

If you have any further questions or concerns please do not hesitate to give me a call or send me an email.

Thank you,

**Austin Tate Teti, R.P.F.**  
**Authorizations Specialist/District Engineering Officer**

**Ministry of Forests, Lands and Natural Resource Operations**  
**Fort Nelson District**  
Fort Nelson, BC  
RR#1, Mile 301 Alaska Highway  
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Tel: 250-398-4395  
Fax: 250-774-3704  
E-mail: [Austin.Tate@gov.bc.ca](mailto:Austin.Tate@gov.bc.ca)

**Thompson, Lisa M FLNR:EX**

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**From:** RNN Services <rnn@northwestel.net>  
**Sent:** Wednesday, December 16, 2015 9:02 AM  
**To:** Tate, Austin FLNR:EX  
**Subject:** Website

Hi Austin,

Me again, the FrontCounterBC website seems to be "undergoing maintenance"? Not sure for how long, is it possible to email me the aggregate tenure application? Let me know when you get a chance, thank you in advance.

Cheers,

Kerry

RNN Services Ltd.  
PO Box 2294  
Fort Nelson, BC  
V0C 1R0  
ph:(250)774-4900  
fx:(250)774-2314  
email: [rnn@northwestel.net](mailto:rnn@northwestel.net)

**Thompson, Lisa M FLNR:EX**

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**From:** RNN Services <rnn@northwestel.net>  
**Sent:** Wednesday, December 16, 2015 8:51 AM  
**To:** Tate, Austin FLNR:EX  
**Subject:** Availability of a Crown parcel of land on the Patry Mainline near the Fort Nelson River Bridge

Hi Austin,

We are responding to your email regarding the above mentioned application for the gravel pit. We are certainly interested in putting our name forward. We commonly have s.22 assist us with completion of such applications but he is currently out of town. I was wondering if you could give me a call to discuss when you had a moment regarding your deadline, a link to said application, and a business plan that may be required?

Cheers,

Kerry Gallup, Office Administrator for:

Rob or Abigail Neville  
RNN Services Ltd.  
PO Box 2294  
Fort Nelson, BC  
V0C 1R0  
ph:(250)774-4900  
fx:(250)774-2314  
email: [rnn@northwestel.net](mailto:rnn@northwestel.net)

**Thompson, Lisa M FLNR:EX**

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**From:** Jim Little s.22  
**Sent:** Wednesday, December 16, 2015 11:00 AM  
**To:** Tate, Austin FLNR:EX  
**Subject:** RE: Application for aggregate tenure on Section 17 Reserve

Thanks for the update. I have forwarded the information to my clients.

Jim.

**From:** Tate, Austin FLNR:EX [<mailto:Austin.Tate@gov.bc.ca>]  
**Sent:** December 15, 2015 4:00 PM  
**To:** Jim Little s.22  
**Subject:** Application for aggregate tenure on Section 17 Reserve

Good afternoon James,

Recently, you have expressed interest with the Ministry of Forests, Lands and Natural Resource Operations about the availability of a Crown parcel of land on the Patry Mainline near the Fort Nelson River Bridge. The Ministry of Forests, Lands and Natural Resource Operations will continue adjudicating the current application until such time that a second application is submitted. All applications that are submitted after the Crown has sent an offer letter to the current applicant will not be considered.

If you have any further questions or concerns please do not hesitate to give me a call or send me an email.

Thank you,

**Austin Tate Teti, R.P.F.**  
**Authorizations Specialist/District Engineering Officer**

**Ministry of Forests, Lands and Natural Resource Operations**  
**Fort Nelson District**  
Fort Nelson, BC  
RR#1, Mile 301 Alaska Highway  
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Tel: 250-398-4395  
Fax: 250-774-3704  
E-mail: [Austin.Tate@gov.bc.ca](mailto:Austin.Tate@gov.bc.ca)

**Thompson, Lisa M FLNR:EX**

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**From:** Brynn Belfour <ncmi.brynn@gmail.com>  
**Sent:** Thursday, December 17, 2015 2:41 PM  
**To:** Tate, Austin FLNR:EX  
**Cc:** 'Jim Little'  
**Subject:** Lands file No. 8015658

Austin,

Peace Country Oilfield Ltd. is still interest in putting in a tenure application for lands file number 8015658. I have done all I can for the Tenure Application and have hit a snag with the Site Plan. I unfortunately have no programs to create such plans and as I'm only in the office and have no previous knowledge on Tenure Applications, I am not able to complete this step of the application at this time.

The Site Plan requires a map drawn to scale with a north arrow, identifying the location of all improvements (buildings, structures, roads, powerlines, fences, etc.) in relation to the boundaries of the tenure area and other legal boundaries. A Site Plan should also include: Dimensions of the open pit (metres), Dimensions of cleared area around the pit for re-contouring (metres), Overburden stockpile location ( metres), Product stockpile location (metres), Access road location and area (ha), and Total area of disturbance.

I am hoping in the new year our Agent (Jim Little) will be available to assist me with a Site Plan.

Should you need any further information from me please feel free to contact me at the number listed below.

Regards,

Brynn Belfour, Administrative Assistant  
Peace Country Oilfield Contractors Ltd.  
Box 270, 7100 Alaska Highway  
Fort Nelson, BC V0C 1R0  
Phone: 250-774-6968  
Fax: 250-744-6556

**LB PAVING LTD.**



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Phone: (250) 847-2761

BOX 3513, SMITHERS, BC V0J 2N0

Email: [ap@lbpaving.bc.ca](mailto:ap@lbpaving.bc.ca)

Fax: (250) 847-2357

December 17, 2015

Front Counter BC

10003 – 110 Ave

Fort St. John, BC

V1J 6M7

Email: [FrontCounterBC@gov.bc.ca](mailto:FrontCounterBC@gov.bc.ca)

**Re: Licence of Occupation Application – LB Hwy 77 Aggregate Operation**

LB Paving Ltd. is providing through this notification, pertinent information relating to a Licence of Occupation Application dated December 21, 2015. This application is in regards to a proposed sand and gravel (aggregate) operation located on crown land located 2.5 km north of the bridge over the Fort Nelson river on Highway 77, then west 6.4 km on the Patry Mainline

The attached Licence Application and pertinent figures, cover the proposed area of development for aggregate extraction. All activities will be carried out within the proposed Licence of Occupation boundaries as noted on the attached Figures.

Once a Licence of Occupation is granted, LB will apply for and comply with the Mines Act and Health Safety and Reclamation code for Mines in BC, 2008.

LB Paving has retained Jim Little, as their agent, to file the Notice of Work Application and the Licence of Occupation Application in regarding to the proposed development.

The operational intent for this proposal will be to locate equipment (loader, trucks, crushing and screening plants) to the site during the work (summer) season (April to November). The purpose will be to extract approximately 25,000 to 45,000 tonnes of aggregate material annually, which will be delivered to the various construction projects in and around Fort Nelson. The first aggregate extraction, along with crushing and screen is anticipated to occur in September 2016.

If you have any questions, please contact the undersigned or our agent Jim Little at [jim@mackenoventures.com](mailto:jim@mackenoventures.com) or (250) 785-5365

Regards,

Dan Boissevain

Area Manager

[Dan.boissevain@lbpaving.bc.ca](mailto:Dan.boissevain@lbpaving.bc.ca)

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Withheld pursuant to/removed as

s.16



## **Appendix A: Transcript of Discussion with the Ministry of Transportation and Infrastructure (MOTI)**

T8: Is the MOIT... occurring?

BC (FLNRO): They will be calling in, I passed notes to them from previous sessions, but they want to ask some questions for clarity on what they should present on?

WMFN: How can we clarify?

T8: This was raised in the context of Cumulative Effects (CE) - why make new pits when you have others that can be used.

BC (FLNRO): They just want some clarity on the issues and will be calling in.

**[Other topics were discussed, [MOTI joined the call at 11:03am]**

MOTI: The question was what model are gravel pits set on?

WMFN: The general issue is that when the government is contemplating the need for gravel pits, they should consider this need against WMFN member's right to use the land in question. Neither right is superior. The Ministry of Transportation does not do this. The current process when deciding to take gravel from existing or new pits is not clear or transparent and is not approached with balancing this need with FNs ongoing rights. How is MOTI making these decisions? How do you project your current or future need, specifically with taking gravel from new or existing pits?

MOTI: We look at corridors and sub-corridors in terms of supply and demand. If we are lacking supply, we start looking for new sources. This is on a plan that we forwarded in the previous meeting. Not all locations have suitable material; the quality is not there on all of the sites. The material has to meet certain specifications; a full quality aggregate is needed. We know that private sources are there also, but our quality requirements are not the same. We do use private sources, for example for projects in Taylor... [Listed contractor names]. Those sites are shown on the plan, all don't meet the quality required, that is why we are always looking for new sources.

WMFN: What you are describing is an ad hoc process that doesn't... how do you balance the need for gravel against the ongoing right of WMFN people to use the area? Gravel and private gravel pits are all over the place. Every time a new application is received there is the expectation that these permits will be approved.

MOTI: For getting disturbed areas back to normal again, we have a process in place.

WMFN: I'm concerned about the front end, you have to justify a need in comparison in FN right to land. The Crown does not have the ability to just decide where the gravel pits go. There needs to be a balancing or consideration with gravel need and FN rights. Using existing sources, etc.

MOTI: We do this, gravel in the Peace Region... When we start the process, we take on Arch Assessment before any work on the site, that process involves FN participation.

WMFN: I understand this, but an Arch Assessment on the site is a different question. When developing a gravel pit, there is going to be roads and trucks, there is disturbance, all this interferes with FN ability to use the area to exercise rights. I'm asking if MOTI considers the need to balance the need for gravel in an area against the ongoing right of FN to use the area and whether in some cases, it is more appropriate to use gravel or transport gravel in that is not from the local area.

MOTI: We are trying to figure out the process, we need to know what the uses are for WMFN. Satish has done analysis for future development on road projects, but in his process, we need to understand uses of Land for WMFN to be considered in the evaluation process.

WMFN: I understand that, if someone asks, I can explain. This issue is focused on... large number of referrals are referrals from applicants, private or government, to develop gravel pits - that is just one kind of an application that we receive. There is a need to address the question of Cumulative Effects here.

MOTI: Ask FLNRO about CE projects, FLNRO has a CE program being worked on?

WMFN: They do and it will be done in 5 years. SDMs need to balance CE concerns in the area where the application is occurring. There are a large number of applications from applicants to explore or obtain gravel with no regards to how many other pits exists, with no explanation of need for new sites, etc. This should be done up front as part of the consultation process.

BC (FLNRO): When we receive an application from MOTI, we view it as a single application, not looking at it as a piece of work. Subsequently actions that occur on the ground, would need additional permits and consultation but this is not considered initially.

WMFN: Historically, this has been approached as if the government has the right to make a decision on the development of a gravel pit and then considers the impact of those decisions, we think this has changed. When beginning the process to forecast and asking certain areas be reserved for gravel. You need to look at regional supply and make a determination as to whether additional reserves or pits are need to be developed, balanced against FN right to use the area into the future. We are running out of areas where quiet enjoyment of Treaty areas is possible.

T8: The question is if there is an area and MOTI is looking into areas for aggregate, why aren't they approaching WMFN to discuss the need for aggregate.

WMFN: Why aren't we consulted?

BC (FLNRO): We are doing consultation through CLATT for MOTI. I think we are at a standstill here. We have CE projects underway, that will be able to assess CE in the area, but it isn't ready.

WMFN: What do we do now? Do we wait until the tools are ready? Not acceptable.

MOTI: As Satish mentioned, we do a supply and demand analysis before filing applications. There is an assessment already, you are not privy to this yet. Specific to this, are there Treaty rights that do need to be considered? That is something that FLNRO considers when making decisions.

WMFN: Getting closer to my concerns, but not there yet. When MOTI files an application for gravel pits, while a number of other pits are available, there was no information provided about other gravel pits either from MOTI or from private alternatives. Information is not available for FNs to determine whether a new gravel pit is required. So in your forecasting, how do you decide to start a new pit versus purchase gravel from a private source? We would like to have this information when applications are received from MOTI.

BC (FLNRO): It sounds like you would like a rationale to develop a new pit, such as "they are looking for a certain type of aggregate and other pits are far away". These are the reasons to develop a new pit. Can MOTI provide this rationale for new gravel pits?

MOTI: Yes.

BC (FLNRO): When receiving future applications, we will request a rationale from MOTI. At FLNRO, we only receive applications for reserves, actual pits are not developed under reserves that FLNRO provides. MOTI later approves. I understand Jim here, FLNRO does not consult on the actual gravel pit. The actual gravel pit consultation should be done by MOTI.

MOTI: Providing the information also depends on providing information from private sources and if it is available. MOTI develops own permits, but there are examples where FLNRO provided a notice that consultation is required. MOTI gets the heads up that consultation is required. We will need to figure out how to engage with CLATT and support rationales to develop a new pit.

WMFN: Under the EBA, we do not have an agreement with the MOTI on how consultation will take place, but they fall under the Provincial Consultation Guidelines.

T8: Was there ever a mapping request?

BC (FLNRO): Satish you provided the maps the first time you presented?

MOTI: Yes, I provided maps on a previous meeting, but not on specific sites. I also provided an excel sheet on specific sites.

BC (FLNRO): Are there further points, with MOTI, you now know the FN concerns and will provide a rationale moving forward. How does this sit with you Jim?

WMFN: Not certain, I will discuss with the CLO office about how to proceed in the context of no structured consultation with MOTI and gravel permits. Whether they notify of decisions or potential decisions, there are still unresolved issues.

BC (FLNRO): Satish, to clarify, when we reserve something for MOTI, consultation is not required on a gravel pit?

MOTI: Under recent establishments with FLNRO, they do recommend consultation, but I do not know the specifics. For capital projects, we can do consultation with gravel as part of that process.

T8: Here's a CE background. It has been 2 years already, there are no tangible outcomes with regards to that project.

BC (FLNRO): We do have tangible solutions that will help in this situation. FLNRO is still consulting on the reserves and concerns on these areas, including the requirement for additional information. It is a process that that FNs can bring concerns to. Used for decision making process and for MOTI's decision making process. There is most likely additional conversations as reserves are coming through the CLATT process, will provide the best information possible. We can invite MOTI to answer concerns.

MOTI: Agreed.

BC (FLNRO): Are there other concerns for MOTI?

WMFN: No.

BC (FLNRO): I appreciate the conversation, challenging, thanks to Satish and Marie. I will be in touch.

[MOTI ends call]

**Senior Resolution Committee Applications**

Last updated on: November 30, 2015 3:21 PM

8015030	28-May-14	Swamp Mats to Canadian Silica	Transfer of tenure	FNFN sent letter Oct 29, 2014	Senior Resolution Committee	Memo to SRC. FNFN sent to MFLNRO June 25, 2015	Senior Resolution Committee
8014898	1640935		Land Tenure: Jan 15, 2015 NOW:	Interoute	LOO Replacement 8014898	Memo to SRC. FNFN sent to MFLNRO June 25, 2015	Senior Resolution Committee
		L48849	OLTC: Jan 15, 2015	Interoute	OLTC Extension - Quarry at FN River for 8014898	FNFN sent ltr Jun 17, 2014. FLNRO responded Oct 3, 2014.	Senior Resolution Committee
8015273	1641146		Land Tenure: Aug 9, 2011 NOW: OLTC:	Jeffrey Bond & Canadian Silica	Phased Frac Sand Project - Komie North	OLTC for the west side only.	Senior Resolution Committee
		L49800	OLTC: Jan 6, 2015	Jeffrey Bond & Canadian Silica	Phased Frac Sand Project - Komie North Land Tenure: 8015273	Memo to SRC Aug 12, 2015	Senior Resolution Committee
8015273			Land Tenure: Aug. 10, 2015	Jeffrey Bond & Canadian Silica	LOO Replacement - Komie North Frac Sand		
A17007 & A18154	7-Oct-14	CANFOR	FN TSA & FSJ TSA replacement	FNFN sent response Aug 12, 2015. Memo to SRC Aug 18, 2015	Senior Resolution Committee		
A15384 & A15385	30-Oct-14	CANFOR	Mackenzie TSA replacement	FNFN sent response Aug 12, 2015. Memo to SRC Aug 18, 2015	Senior Resolution Committee		
	21-Aug-14	FLNRO	FSJ AAC TSR	FNFN sent response Sep 1, 2015. Memo to SRC	Process Committee		

**MFLNRO Applications**

Last updated on: November 30, 2015 3:21 PM

File number	Date FNFN Received Referral	Proponent	Application location/ description	Status	Classification
	5-Aug-15	FLNRO	Species hunting regulation changes 2016 - 18, Peace Region	JH sent biologist info Oct 22, 2015	Process Committee
	5-Nov-15	FLNRO	General hunting regulation changes 2016 - 18, Peace Region		Process Committee
	21-Oct-15	FLNRO	Moose hunting regulation changes 2016 - 18, South Region & Moberly Lake	Kat is talking with other First Nations	Process Committee
	21-Oct-15	FLNRO	TSR 4 - Fort Nelson	Schedule TSA presentation - Nov 26, 2015	Process Committee
	19-Nov-15	FLNRO	FSJ SFMP (TSA) - Pilot Project Regulation		Process Committee
	20-Nov-15	FLNRO	2016 LEH and Guide Outfitter Quota's		Process Committee
FJ14-148927	3-Feb-15	Carl Swanson	Beaver Dam Removal	JH will reword condition #5 to include #4 into it	Process Committee
FJ15-178583	21-Sep-15	Ledcor	Beaver Dam Removal	"	Process Committee
FJ15-159306	21-Sep-15	CN Railway	Beaver Dam Removal	"	Process Committee
FJ14-153929	4-Mar-15	Yellowhead Road & Bridge	Beaver Dam Removal	"	Process Committee

**MFLNRO Quarry Applications**

Last updated on: November 30, 2015 3:21 PM

						Status	Classification
Land Tenure #	NOW #	OLTC #	Date FNFN Received Referral	Proponent	Application location/ description		Process Committee
8015290			Land Tenure: Nov 17, 2015	Falcon	LOO REplacement - Quarry FN River		Process Committee
8014152	1640781	L48584	Land Tenure: Aug. 1, 2013 NOW: OLTC:	Interoute	LOO Replacement - Quarry FN Airport	On hold.	Process Committee
		L50378	OLTC: Sep 15, 2015	MOTI/Public Works	Quarry expansion - Tetsa River for 8002315	Rec'd updated shape file Nov 27	Process Committee
		L49860	OLTC: Oct 2, 2015	MOTI/Public Works	Quarry expansion - Tetsa River for 8001212	FNFN sent questions Nov 17, 2015	Process Committee
8015658			LOO: Oct 30, 2015	Radar Road	LOO - Patry ML quarry	FNFN reviewing	Process Committee
		OLTC no #	OLTC: Oct 30, 2015	Radar Road	OLTC - Patry ML for 8015658	"	Process Committee
	1641355		NOW: Oct 30, 2015	Radar Road	NOW: Patry ML for 8015658	"	Process Committee
8015357	1641040	L49188	Land Tenure: NOW: OLTC: Oct 29, 2014	Tsimeh Holdings Ltd.	OLTC Replacement	Kat will talk with Monicque	Process Committee
8015359	1640974	L49198	Land Tenure: Issued NOW: Issued OLTC:	Tsimeh Holdings Ltd.	OLTC Replacement	"	Process Committee
8015375	1640992	L49072	Land Tenure: Issued NOW: Issued OLTC: Oct 29, 2014	Tsimeh Holdings Ltd.	OLTC Replacement	"	Process Committee

**Senior Resolution Committee Applications**

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8015030	28-May-14	Swamp Mats to Canadian Silica	Transfer of tenure	FNFN sent letter Oct 29, 2014	Senior Resolution Committee	Memo to SRC. FNFN sent to MFLNRO June 25, 2015	Senior Resolution Committee
8014898	1640935		Land Tenure: Jan 15, 2015 NOW:	Interoute	LOO Replacement 8014898	Memo to SRC. FNFN sent to MFLNRO June 25, 2015	Senior Resolution Committee
		L48849	OLTC: Jan 15, 2015	Interoute	OLTC Extension - Quarry at FN River for 8014898	FNFN sent ltr Jun 17, 2014. FLNRO responded Oct 3, 2014.	Senior Resolution Committee
8015273	1641146		Land Tenure: Aug 9, 2011 NOW: OLTC:	Jeffrey Bond & Canadian Silica	Phased Frac Sand Project - Komie North	OLTC for the west side only.	Senior Resolution Committee
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A15384 & A15385	30-Oct-14	CANFOR	Mackenzie TSA replacement	FNFN sent response Aug 12, 2015. Memo to SRC Aug 18, 2015	Senior Resolution Committee		
	21-Aug-14	FLNRO	FSJ AAC TSR	FNFN sent response Sep 1, 2015. Memo to SRC	Process Committee		

**MFLNRO Applications**

Last updated on: December 14, 2015 12:09 PM

File number	Date FNFN Received Referral	Proponent	Application location/ description	Status	Classification
	5-Aug-15	FLNRO	Species hunting regulation changes 2016 - 18, Peace Region	JH sent biologist info Oct 22, 2015	Process Committee
	5-Nov-15	FLNRO	(5) General hunting regulation changes 2016 - 18, Peace Region	FNFN will be receiving an amendment	Process Committee
	10-Nov-15	FLNRO	Elk Management Plan		Process Committee
	21-Oct-15	FLNRO	Moose hunting regulation changes 2016 - 18, South Region & Moberly Lake	Kat is waiting on other FNs response	Process Committee
	21-Oct-15	FLNRO	TSR 4 - Fort Nelson		Process Committee
	19-Nov-15	FLNRO	FSJ SFMP (TSA) - Pilot Project Regulation		Process Committee
	20-Nov-15	FLNRO	2016 LEH and Guide Outfitter Quota's		Process Committee
FJ14-148927	3-Feb-15	Carl Swanson	Beaver Dam Removal	JH will confirm if the file is cancelled	Process Committee
FJ15-159306	21-Sep-15	CN Railway	Beaver Dam Removal	JH send FNFN permit conditions prior to sending to Chris	Process Committee
FJ15-178583	21-Sep-15	Ledcor	Beaver Dam Removal	JH confirm if this is the file that was approved by Chris	Process Committee
	11-Dec-15	Canfor	Cutting Permit 198/Road Permit R20769		Process Committee



**MFLNRO Quarry Applications**

Last updated on: December 14, 2015 12:09 PM

						Status	Classification
Land Tenure #	NOW #	OLTC #	Date FNFN Received Referral	Proponent	Application location/ description		Process Committee
8015290			Land Tenure: Nov 17, 2015	Brookside (Farside)	LOO REplacement - Quarry FN River	FNFN requested AIA	Process Committee
8015188			7-Dec-15	Brookside	LOO Replacement - Patry ML		Process Committee
8014152	1640781	L48584	Land Tenure: Aug. 1, 2013 NOW: OLTC:	Interoute	LOO Replacement - Quarry - FN Airport	On hold.	Process Committee
		L50378	OLTC: Sep 15, 2015	MOTI/Public Works	Quarry expansion - Tetsa River for 8002315	FNFN requested AIA and reclamation plan	Process Committee
		L49860	OLTC: Oct 2, 2015	MOTI/Public Works	Quarry expansion - Tetsa River for 8001212	FNFN requested AIA and reclamation plan	Process Committee
G90081			30-Nov-15	MOTI/Public Works	Mulching exemption- Hwy ROW		Received - Processing
8015658			LOO: Oct 30, 2015	Radar Road	LOO - Patry ML quarry	On hold until complete bid is complete	Process Committee
		OLTC no #	OLTC: Oct 30, 2015	Radar Road	OLTC - Patry ML for 8015658	"	Process Committee
	1641355		NOW: Oct 30, 2015	Radar Road	NOW: Patry ML for 8015658	"	Process Committee
8015357	1641040	L49188	Land Tenure: NOW: OLTC: Oct 29, 2014	Tsimah Holdings Ltd.	OLTC Replacement	Kat will talk with Monicque	Process Committee

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8015375	1640992	L49072	Land Tenure: Issued NOW: Issued OLTC: Oct 29, 2014	Tsimeh Holdings Ltd.	OLTC Replacement	"	Process Committee

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