



Free Miner Certificate Holders Webinar

July 30, 2024



AGENDA

1. Welcome & Opening Remarks
2. Review Two Tracks of Work
3. Track 1: Mineral Claims
Consultation Framework (MCCF)
Context Setting & Information
Gathering
4. Q&A
5. Next Steps & Adjourn



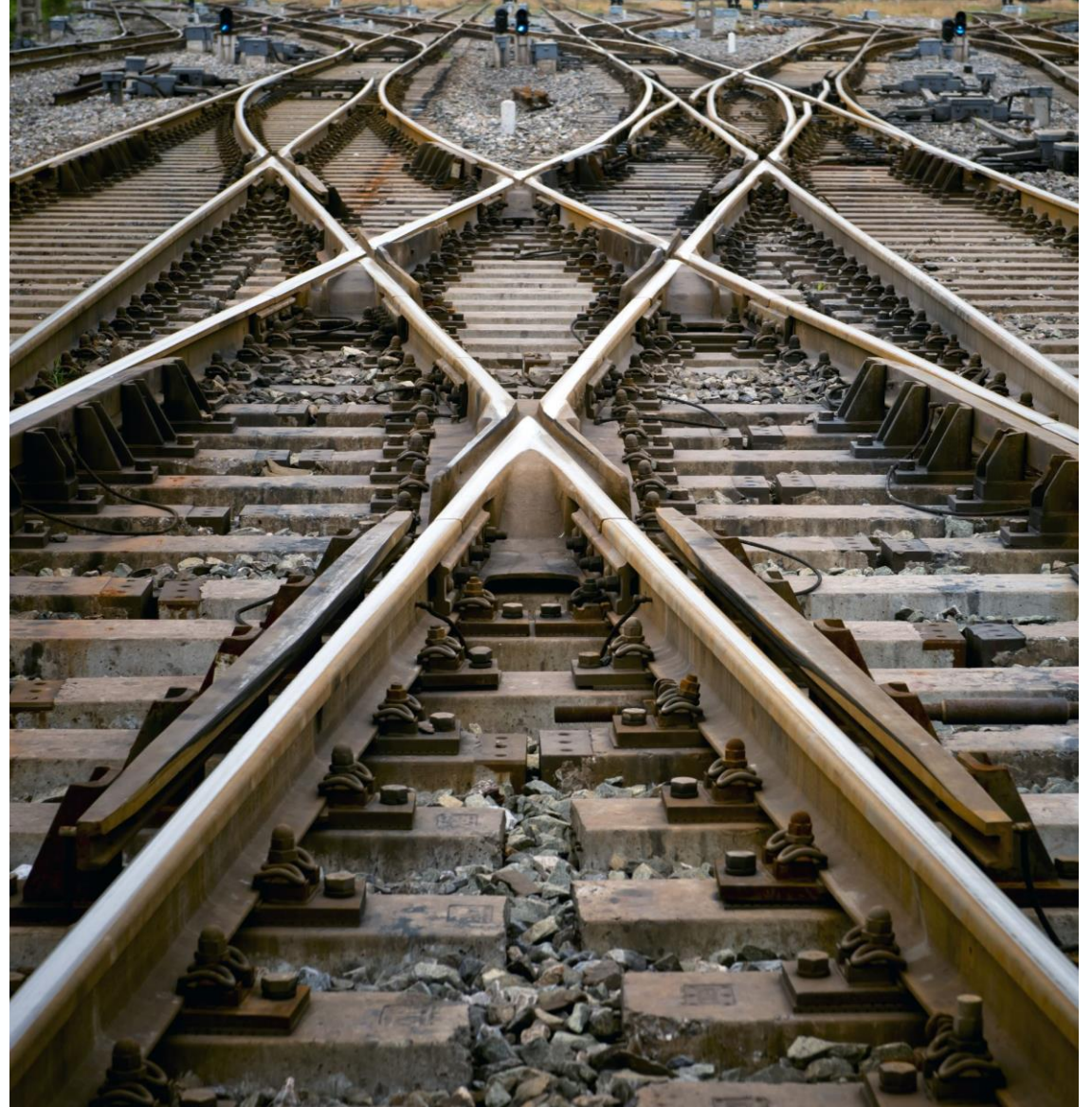
WELCOME

- Introductions
- Land acknowledgement

Path Forward

Track 1: Mineral Claims Consultation Framework (MCCF)

Track 2: Mineral Tenure Act Reform (MTA Reform)



Track 1: Mineral Claim Consultation Framework (MCCF)

- Responding to the September 2023, BCSC decision (Gitxaala v. British Columbia)
- Implement a consultation framework for mineral claim registration throughout the province of BC
- Implement by March 26, 2025

Mineral Claims Consultation Framework

In September 2023, the BC Supreme Court declared that the duty to consult is triggered by the registration of mineral claims and granted the provincial government until March 2025 to develop and implement a consultation framework for the staking of mineral claims.

How will we consult and engage?

Consultation and cooperation:

- Direct engagement with First Nations of BC (including Modern Treaty Nations), First Nations Leadership Council and First Nations Energy and Mining Council
- Bilateral discussions as requested
- First Nations Technical Advisory Group*

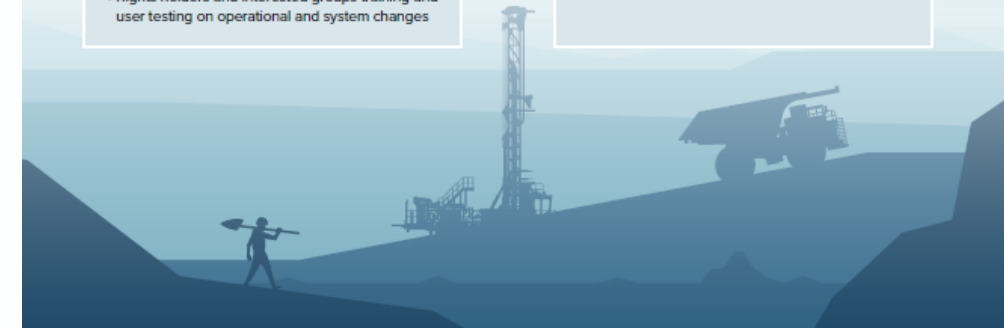
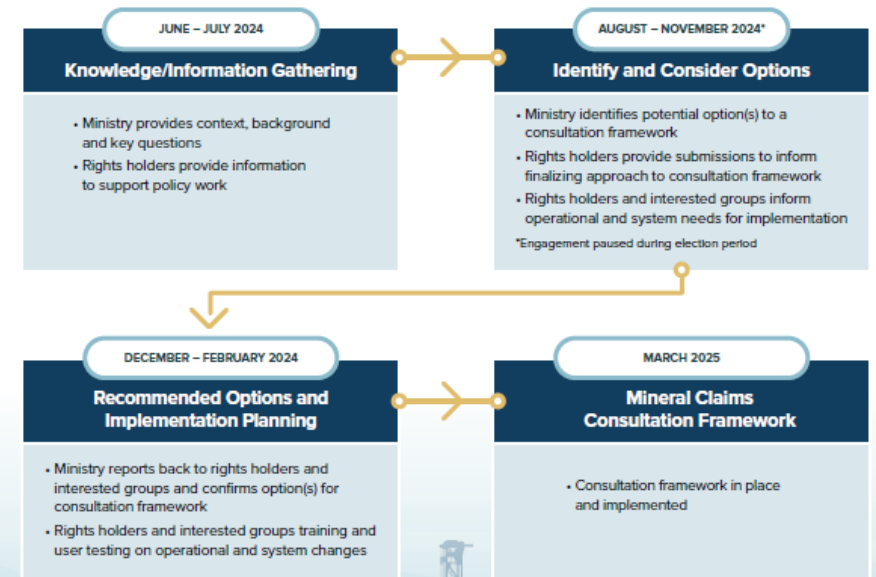
*Technical tables

Engagement:

The Province will create opportunities for input from interested groups such as industry associations and free miner certificate holders to be received.

Regularly updated website

What are the stages of the process?



Track 2: MTA Reform

- Alignment of the *Mineral Tenure Act* with the *United Nations Declaration on the Rights of Indigenous People*.
- Work to be consistent with requirements under Section 3 of the *Declaration on the Rights of Indigenous People Act* (Declaration Act).
- Identified in Action 2.14 of the 2022 Declaration Act Action Plan

The work to reform the Mineral Tenure Act (MTA) will be undertaken consistent with the requirement under section 3 of the **Declaration on the Rights of Indigenous Peoples Act (Declaration Act)**, [in consultation and cooperation](#) with First Nations in B.C., to take all measures necessary to ensure that provincial laws are consistent with the United Nations Declaration on the Rights of Indigenous Peoples (UN Declaration).

Reforming the MTA to align with the UN Declaration is identified in Action 2.14 of the 2022 **Declaration Act Action Plan** as a priority goal to be achieved within five years of the release of the Action plan.

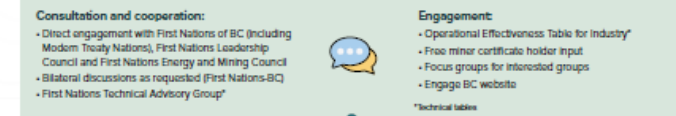
The UN Declaration recognizes rights that constitute the minimum standards for the survival, dignity, and well-being of Indigenous peoples, and acts as a framework for reconciliation.

New Mineral Exploration Framework

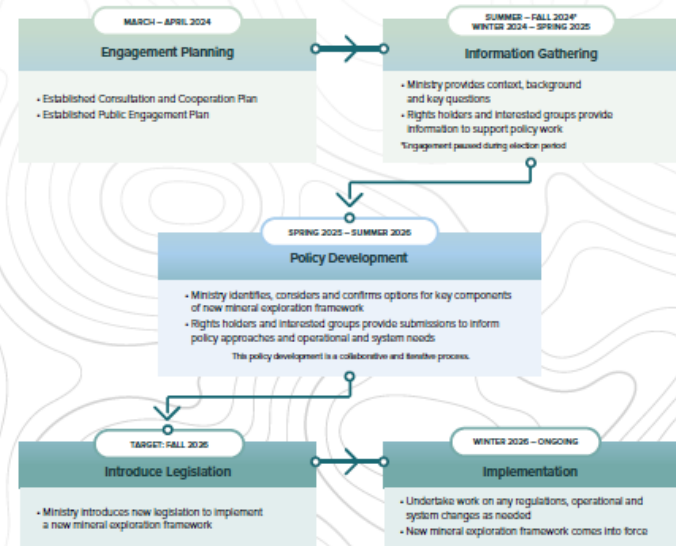
Who will we consult and engage?




How will we consult and engage?



What are the stages of the process?



A low-angle photograph of a forest canopy, looking up at the dense green leaves and dark tree trunks. Sunlight filters through the foliage, creating a bright, hazy glow in the upper center. The image has a soft, ethereal quality with a slight vignette effect.

Mineral Claim Consultation Framework





MCCF - Key Components

- Notification and Information Sharing
- Managing Referrals
- Identifying Potential Impacts and Accommodations
- Implementing Accommodations

Notification and Information Sharing

Current system: No notification or information sharing with First Nations.

What we heard: Require a thorough application process and adequate information for proposed claims to identify potential impacts and issues through the consultation process.

Considerations in developing the MCCF:

- What would happen during the consultation phase, meaning the time between entering interest in a claim and registering its approval
- Currently, information requirements are focused on administrative information (Name, address, etc.), although may be expanded to include other information to support consultation and decision-making.

Managing the Volume of Referrals

Current system: No referrals for mineral claim registrations.

What we heard: The management of additional referrals presents significant capacity and resourcing challenges.

Considerations in developing the MCCF: Under the current system, on Mineral Titles Online, a significant number of claim registrations occur each year. (~5000-8000/ year).

Potential Impacts and Accommodations

Current system: “Automatic” claims process does not allow for decision to be made about registration or require that impacted First Nation is notified. Potential impacts of mineral claim registrations are not identified or accommodated.

What we heard:

- Concern that proponents can register claims without being required to understand values, concerns, and priorities of impacted First Nations. Earlier meaningful consultation needed at the claim stage.
- Industry has concerns about proprietary information / intellectual property being “leaked” during consultation period

Considerations in developing the MCCF: Considering what types of potential impacts may be caused by claim registration and what measures way be needed to mitigate those impacts

Implementation of Accommodations

Current system: No consultation, impacts are not identified or accommodated.

What we heard:

- Suggestions - Impact assessments as part of claim applications and areas exempt from potential mineral staking
- Industry concern that consultation requirements should be proportionate to the potential impacts related to a claim

Considerations in developing the MCCF: Considering different mechanisms that are appropriate for implementing various accommodations – some of this can be achieved through a combination of legislation, regulations and orders. Other tools and system updates may also be required.



QUESTIONS

STAYING CONNECTED

Website: [HTTPS://ENGAGE.GOV.BC.CA/MTAREFORM/](https://engage.gov.bc.ca/mtareform/)

Email us at: MTA@GOV.BC.CA

