

Mineral Titles Branch Energy, Mines and Petroleum Resources



The following information will assist clients with understanding the Mineral Titles Online, Tenure Overlap Report.

This Tenure Overlap Report is generated automatically with each new claim acquisition or with a claim amalgamation registration event. This report will be emailed to the owner and/or agent performing the event transaction. In addition, the report will be posted to the clients' bulletin board after the event registration.

Furthermore, clients can generate new reports for all owned claims. Owned claims include cell claims and legacy claims.

You can do this by logging on to Mineral Titles Online (MTO) with your BCeID, clicking on the 'Reports' tab and then selecting the option to 'Request Tenure Overlap Report'. This report will be generated over night and emailed to the client and posted to the bulletin board of the owner and/or agent requesting the transaction.

[Disclaimer](#): The information in this report is valid from the time the report was executed.

Claim Acquisition details:

Information in this section is taken from Mineral Titles Online (MTO). As this is a static report, if clients wish to determine updates or changes to tenure status a tenure search can be performed in MTO using a tenure number.

Conducting a search:

Select the yellow 'Tenure Search' button from the MTO homepage, or once logged on to MTO click on 'Search for Mineral / Placer / Coal'

Tenure Number:

Event Number:

Issue Date:

Good to Date:

Type:

Area (ha):

Mapsheet:

The following is for information purposes:

Your tenure overlaps with the following First Nations interests:

First Nations may have aboriginal interests in a tenure area that could be impacted by any planned mining activity. At various stages in a mineral exploration or mine development project, the Ministry of Energy, Mines and Petroleum Resources will be required to meet applicable legal obligations to consult with and, if appropriate, accommodate affected First Nations.

The First Nations interests section of the Tenure report provides tenure holders with preliminary contact information for First Nations with aboriginal interests identified within the tenure area. These areas are based on knowledge currently available to the Province.

Tenure holders choosing to provide information and involve First Nations early in their project have the opportunity to develop mutual understanding of the interests around the project. This can be important to successful business planning and project development. Operators are encouraged to explore making this contact prior to submitting a Notice of Work. This approach gives support to the Provincial consultation process and the goals of the New Relationship.

The information provided is not intended to create, recognize, limit or deny any aboriginal or treaty rights, including title, that First Nations may have, or impose any obligations on the Province or alter the legal status of resources within the Province or the existing legal authority of British Columbia. The Province makes no warranties or representations regarding the accuracy, timeliness, completeness or fitness for use of any or all data provided in the reports.

You will find some useful resources to draw on in considering engagement with First Nations, including:

- Aboriginal Engagement Toolkit is available through the Association for Mineral Exploration British Columbia (AMEBC) at:
<http://www.amebc.ca/toolkit/toolkit.htm>
- Further resources at: <http://www.amebc.ca/resources-and-publications/publications/current.aspx>
- Questions and concerns may be directed to the Ministry of Energy, Mines and Petroleum Resources Aboriginal Relations Branch:
<http://www.empr.gov.bc.ca/MACR/firstNations/Pages/contact.aspx>

Links to First Nations information include:

- <http://www.ainc-inac.gc.ca/ap/index-eng.asp>
- <http://www.gov.bc.ca/arr/services/guide.html>
- http://www.aboriginalcanada.gc.ca/acp/community/site.nsf/index_en.html
- http://www.gov.bc.ca/arr/newrelationship/new_relationship_overview.html

Areas where tenure may not be registered

Indian Reserve: As per *Mineral Tenure Act* Regulations: Indian Reserves are considered “alienated land” and Section 4 of the MTA regulations provides that no mineral or placer rights in respect of alienated land are acquired by registering a cell claim under this section.

First Nations Treaty Lands: Treaties such as the Nisga'a Final Agreement have provided that the First Nation will own all mineral resources on their treaty lands, and so are excluded from areas that either a mineral or placer claim can be registered.

Your tenure overlaps with the following Legal and Administrative interests:

Reserve(s): [Section 22 of the Mineral Tenure Act](#) allows for the establishment of mineral reserve lands by the chief gold commissioner.

For more information on reserves please visit the following website:
<http://www.empr.gov.bc.ca/Titles/MineralTitles/Reserves/Pages/default.aspx>

Regional District: Regional Districts will be contacted by MEMPR, Mines Branch for permitting purposes with your Notice of Work.

Ensure you check with all local governments for Regional parks that may exist in the area.

For more information on a particular local government please reference the following websites: <http://www.civicnet.bc.ca/members/map.shtml> or <http://www.civicinfo.bc.ca/111.asp?showall=yes>

Agricultural Land Reserve: The [Agricultural Land Reserve](#) (ALR) is a provincial zone in which agriculture is recognized as the priority use. Farming is encouraged and non-agricultural uses are controlled. The Agricultural Land Reserve takes precedence over, but does not replace other legislation and bylaws that may apply to the land.

Local and regional governments, as well as other provincial agencies, are expected to plan in accordance with the provincial policy of preserving agricultural land.

Section 3(4)(h) of BC Regulation 171/2002 (*Agricultural Land Reserve Use, Subdivision and Procedure Regulation*) states:

3(4) The following land uses are permitted in an agricultural land reserve:

(h) surveying, exploring or prospecting for gravel or minerals if all cuts, trenches and similar alterations are restored to the natural ground level on completion of the surveying, exploring or prospecting;

Should you have any questions about permitted land uses within the Agricultural Land Reserve, or whether an application may be required, you may contact a commission representative at (604) 660-7000 or by way of the following link:

<http://www.alc.gov.bc.ca/contacts/contacts.htm>

Parks/ Protected Areas: As [defined](#) in the *Mineral Tenure Act Regulations* Parks, Protected Areas, Ecological reserves and conservancies are considered "alienated land" and Section 4 of the MTA regulations provides that no mineral or placer rights

in respect of alienated land are acquired by registering a cell claim under this section.

British Columbia is home to many nationally and internationally significant natural and cultural values. The legal framework for protecting these important areas includes the:

- *Protected Areas of British Columbia Act;*
- *Park Act;*
- *Ecological Reserve Act; and;*
- *Environment and Land Use Act*

[Parks and protected areas](#) are managed for important conservation values and are dedicated for the preservation of their natural environments for the inspiration, use and enjoyment of the public.

Places of special ecological importance are designated as ecological reserves for scientific research and educational purposes. Scientific research and study of values contained in protected areas are part of BC Parks' ongoing commitment to knowledge and information gathering.

BC Parks and Protected Areas is also responsible for administering and managing conservation lands for fish and wildlife. These lands are made up of a variety of land types that all give priority to the conservation of wildlife, fish and their habitat, while often providing for other resource uses.

Municipality: Municipalities will be contacted by MEMPR, Mines Branch for permitting purposes with your Notice of Work.

Ensure you check with all local governments for Municipal parks that may exist in the area.

For more information on a particular local government please reference the following websites: <http://www.civinet.bc.ca/members/map.shtml> or <http://www.civicinfo.bc.ca/111.asp?showall=yes>

Land Title District: There are 3 land titles offices (New Westminster, Victoria and Kamloops) in BC servicing the 7 land title districts (Kamloops, Nelson, New Westminster, Prince George, Prince Rupert, Vancouver and Victoria).

These [offices](#) may be contacted for surface title searches (legal records of registered interests in land) in conjunction with the [landowner notification procedures](#) required by Mineral Titles Branch

Forest District: [Forest Districts](#) will be contacted by MEMPR, Mines Branch for permitting purposes with your Notice of Work.

Your tenure overlaps with the following tenures:

Sub-surface (does not include crown grants):

Mineral:

Placer:

Coal:

Mineral and placer data is taken from Mineral Titles Online (MTO). As this is a static report, if clients wish to determine updates or changes to tenure status a tenure search can be performed in MTO using a tenure number.

Conducting a search:

Select the yellow 'Tenure Search' button from the MTO homepage, or once logged on to MTO click on 'Search for Mineral / Placer / Coal'

Coal data is viewable on our website:

<http://www.empr.gov.bc.ca/Titles/MineralTitles/Pages/CoalMapsSearches.aspx> .

Also, you can contact the coal administrator by sending an email to

Mineral.Titles@gov.bc.ca. For faster service , please ensure the text "Coal" is in you subject line.

Crown Grant information is available from the following website:

http://srmwww.gov.bc.ca/clrs/products_svcs/products/crown_grants.html

[Landowner notification](#) requirements specify that a person must not begin a mining activity until eight days after giving notice to the owners of the surface area where the activity will take place. The notice must state when the activity will occur and include the names and addresses of the free miner or recorded holder and of the on-site person responsible for the operations. The notice must also describe the activity that will be conducted, state approximately how many people will be on site and include a map or written description of where the activity will take place. Notices may be mailed, e-mailed, sent by facsimile transmission or hand delivered to the owner.

Surface (does not include Private Land):

Crown Land leases:

Crown Land is administered by the Ministry of Agriculture and Lands, Crown Land Administration Division (<http://www.agf.gov.bc.ca/clad/>)

Your tenure overlaps with the following other resource interests:

Ungulate Winter Range:

[Ungulate winter range](#) (UWR) management has been ongoing for over 20 years in some portions of the province. Formal legal establishment of UWR and associated objectives began under the Forest Practices Code and continue, under the Forest and Range Practices Act (FRPA).

A UWR is defined as an area that contains habitat that is necessary to meet the winter habitat requirements of an ungulate species. UWR are based on our current understanding of ungulate habitat requirements in winter, as interpreted by the Ministry of Environment (MOE) regional staff from current scientific and management literature, local knowledge, and other expertise from the region. Sections 9 and 12 of the *Government Actions Regulation of the Forest and Range Practices Act* outline the regulatory authority for establishing UWR.

UWRs do not preclude mineral exploration or mining. Management measures may be required to avoid or mitigate disturbance of wildlife habitat.

Wildlife Habitat Area:

[Wildlife habitat areas](#) (WHAs) are mapped areas that are necessary to meet the habitat requirements of an Identified Wildlife element. WHAs designate critical habitats in which activities are managed to limit their impact on the Identified Wildlife element for which the area was established. The purpose of WHAs is to conserve those habitats considered most limiting to a given Identified Wildlife element.

WHAs do not preclude mineral exploration or mining. Management measures may be required to avoid or mitigate disturbance of wildlife habitat. Some WHAs may require an exemption from MOE as part of the [Mines Act Notice of Work process](#) before authorization of mechanical disturbance. Mining and Minerals Division, EMPR, is the single window for review and seeking an exemption when required.

Wildlife Management Area:

A conservation land requiring a special level of protection and management may sometimes be designated as a “wildlife management area” (WMA). This designation under Section 4 of the *BC Wildlife Act* gives the ministry additional tools to manage the land and associated land uses. WMA’s can be designated by the Minister of Environment with consent from the Lieutenant Governor in Council (i.e. the provincial cabinet), provided the Minister has administration of the land. A single wildlife management area may incorporate lands which the ministry has secured through acquisition, transfer of administration, or long term lease.

WMAs do not preclude mineral exploration or mining. Management measures may be required.

For more information on what types of activities are permitted in a WMA please visit the following website:

<http://www.env.gov.bc.ca/bcparks/explore/wma/index.html>

Mineral Titles inquires can be made to:

Mineral Titles Branch

1-866-616-4999

Mineral.Titles@gov.bc.ca

300-865 Hornby Street,

Vancouver, BC

V6Z 2G3

For detailed information on tenure maintenance please contact our website and related legislation:

<http://www.empr.gov.bc.ca/Titles/MineralTitles/Pages/default.aspx>

An approved mineral or placer Notice of Work and Reclamation Program is required prior to conducting surface disturbance by mechanical means. For more information on Notices of Work and the Mineral Exploration & Mining regional [office near you](#) please visit our website.

Mineral Titles Branch appreciates your participation in the mineral development of British Columbia and we look forward to serving you again.