



Ministry of
Energy, Mines &
Petroleum Resources



Canada & the World of Ocean Renewable Energy Symposium

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Ocean Energy

The BC Experience and Regulatory Framework

Agency Responsibilities

- **Ministry of Energy, Mines and Petroleum Resources**
 - Responsible for developing strategic energy policy
 - Responsible for leading the development and maintenance of Crown land-based independent power producers (IPP) operational tenuring policies
 - Point-of-contact for issues which have provincial significance or application and responsible for coordinating the resolution of those issues.

- **Crown Land Administration
Division**
 - Collaborates with the Ministry of Energy, Mines and Petroleum Resources in developing and maintaining Crown land IPP operational tenuring policies
 - Responsible for tenure document language

- **Integrated Land Management
Bureau/Front Counter BC**
 - Responsible for adjudicating all applications for *Land Act* tenures for IPPs located on provincial Crown land.
 - Front Counter BC is a single window service for clients of provincial natural resource ministries and agencies.

Regulatory Processes

- Provincial government
- Federal government
- Local government

Provincial Regulatory Authorizations

- Land Act tenure
- Agricultural Land Commission Act permission
- Water Act licence
- Environmental Assessment Act certificate
- Forest Act licence to cut and chief forester approval
- Heritage Conservation Act permit
- Wildlife Act permission
- Park Act park use permit

Other Considerations

- **First Nations' rights and title**
- **Federal authorizations**
- **Local government zoning, development permit, and building permit**

Decision-maker's Role

- 1. Assess the application and the information available**
- 2. Answer some key questions**
- 3. Make a decision**

Key Questions

- **Is the project technically feasible?**
- **Is the project economic?**
- **Is it environmentally acceptable?**
- **Is the project socially desirable?**
- **Are appropriate rights protected?**
- **Was the process complete?**
- **Was First Nation consultation adequate?**

Economic Issues

- Does the proponent have the financial ability to complete the project?
- Will the taxpayers assume a liability if the project is only partially constructed?

Environmental Issues

- **Loss of habitat**
 - Aquatic
 - Terrestrial
- **Destruction of fauna**
- **Rare and endangered species**
 - Unique flora and fauna

Social Issues

- **Public perception**
- **Visual**
- **Noise**
- **Property values**
- **Electromagnetic radiation**
- **Local community interaction**

Existing Rights Issues

- Other provincial tenures
- Other provincial applications
- Riparian rights

Process Issues

- **Was the application advertised?**
- **Were referrals made to the appropriate agencies/groups?**
- **How were the responses dealt with?**

First Nation Issues

- **Asserted traditional territory**
- **Environmental concerns**
- **Impact on fishing**
- **Impact on shellfish harvesting**
- **Other historical uses**
- **Potential title**

Ocean Energy Crown Land Tenuring Policy

- Wind power policy
- Similar approach for sequencing of authorizations
 - Investigative permit
 - Licence of occupation for monitoring (data collection)
 - Licence of occupation to construct facility
- Due diligence

Operational Policy Development Process

- Jurisdictional review (complete)
- Policy directive (under development)
- Discussion paper (end of July)
- Consultation (August to end of December)
- Draft policy (end of December)
- Approval of policy (end of March, 2006)
 - Research and development phase
 - Commercial operation phase

Policy Development Considerations

- **Location**
 - Offshore (open ocean)
 - Straits or narrows
- **Overlapping or non-overlapping**
- **Disposition**
 - Planned
 - Competitive bid
 - First in time
- **Tenure term**
- **Rentals**

Status of Tenuring

- **7 investigative permits issued to four companies**
- **1 licence of occupation issued for monitoring**

Electricity and Alternative Energy Contact Information

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