



Ministry of  
Energy, Mines &  
Petroleum Resources



# Ocean Energy

## The BC Experience and Regulatory Framework

# Agency Responsibilities

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- **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

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- Provincial government
- Federal government
- Local government

# Provincial Regulatory Authorizations

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- 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

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

# Decision-maker's Role

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

# Key Questions

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- **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

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- 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

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

# Social Issues

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

# Existing Rights Issues

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- Other provincial tenures
- Other provincial applications
- Riparian rights

# Process Issues

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

# First Nation Issues

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

# Ocean Energy Crown Land Tenuring Policy

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- 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

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- Jurisdictional review (underway)
- Policy directive (under development)
- Discussion paper
- Consultation
- Draft policy
- Approval of policy
  - Research and development
  - Commercial operation

# Policy Development Considerations

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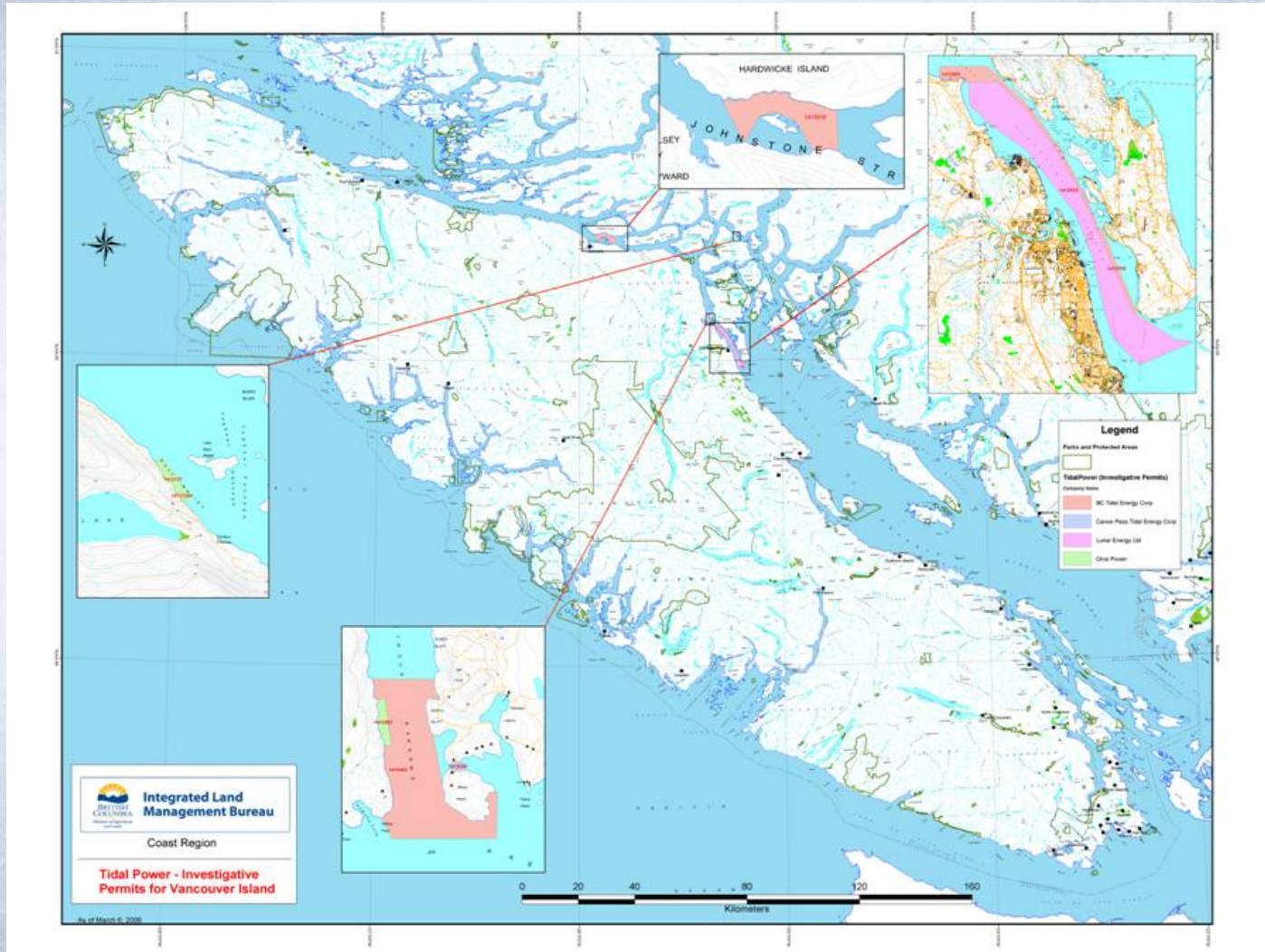
- **Location**
  - Offshore
  - Straits or narrows
- **Overlapping or non-overlapping**
- **Disposition**
  - Planned
  - Competitive bid
  - First in time
- **Tenure term**
- **Rentals**

# Status of Tenuring

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

# Map of Existing Tenures



# Electricity and Alternative Energy Contact Information

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