



# Ocean Energy Pacific Opportunity Forum Public Information Session

## Provincial Permitting And Regulation of Ocean Energy Projects

Nanaimo, BC  
June 20, 2007





## Agency Responsibilities

# Ministry of Energy, Mines and Petroleum Resources

- **Electricity and Alternative Energy Division**
  - 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 Requirements

- **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?**

# Environmental Issues Example

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

## First Nations Issues Example

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

## Crown Land Operational Tenuring Policy

- **The Minister is the statutory decision-maker under the Land Act**
- **Decision-making is delegated to specific positions in the Integrated Land Management Bureau**
- **The Minister provides direction to delegated decision-makers via operation policies**

## Ocean Energy Crown Land Operational Tenuring Policy Development Process

- **Jurisdictional review – completed – March, 2006**
- **Application Policy Directive – approved – August, 2006**
- **Discussion paper – completed – December, 2006**
- **Consultation – underway – workshop June 28, 2007**
- **Draft policy – August, 2007**
- **Approval of policy – September, 2007**



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# Status of Ocean Energy Sector



## Contact Information

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