



Ocean Energy Opportunity Forum Pacific Region

Site Access and Provincial Regulatory Requirements

June 21, 2007
Nanaimo, BC



- **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.



Agency Responsibilities

Ministry of Agriculture and Lands

- **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.

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**

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**

Crown Land Operational Tenuring Policy Development Process

- **Jurisdictional review – completed – March, 2006**
- **Application Policy Directive – approved – August, 2006**
- **Discussion paper – completed – December, 2006**
- **Discussion paper distributed – April 10, 2007**
- **Feedback received – May 4, 2007**
- **Discussion paper workshop - June 28, 2007**
- **Draft policy – August, 2007**
- **Approval of policy – September, 2007**

Ocean Energy Project Application Directive

- **Investigative Permit**
 - Application fee - \$500
 - Non-overlapping
 - Not to exceed 50 ha. in straits and narrows less than 5 km. in width
 - Not to exceed 500 ha. for offshore areas
 - Advertising required
 - 2 year term
 - Rental = \$250 per annum
 - Renewable for 1-2 years upon demonstration of due diligence

Ocean Energy Project Application Directive

- **Licence of Occupation for monitoring**
 - Investigative Permit is a pre-requisite
 - Application fee - \$500
 - Up to 5 sites within Investigative Permit area
 - Term is consistent with I.P.
 - Advertising required
 - Standard referral process
 - Security
 - Rental = 7.5% of land value, with a minimum of \$500 per annum

Ocean Energy Project Application Directive

- **Licence of Occupation for construction**
 - Application fee - \$3300 plus GST
 - Policy under development
 - Standard adjudication process
 - Utilize Industrial General if necessary
 - Rental = 7.5% of land value, with a minimum of \$500 per year

Crown Land Tenuring Operational Policy Considerations

- **Due diligence criteria**
- **Method of allocation**
- **Pre-commercialization tenure type, term and rental**
- **Commercial operation tenure type, term and rental**
- **Research and development collective tenures**
- **Ownership of data**

Status of Ocean Energy Sector

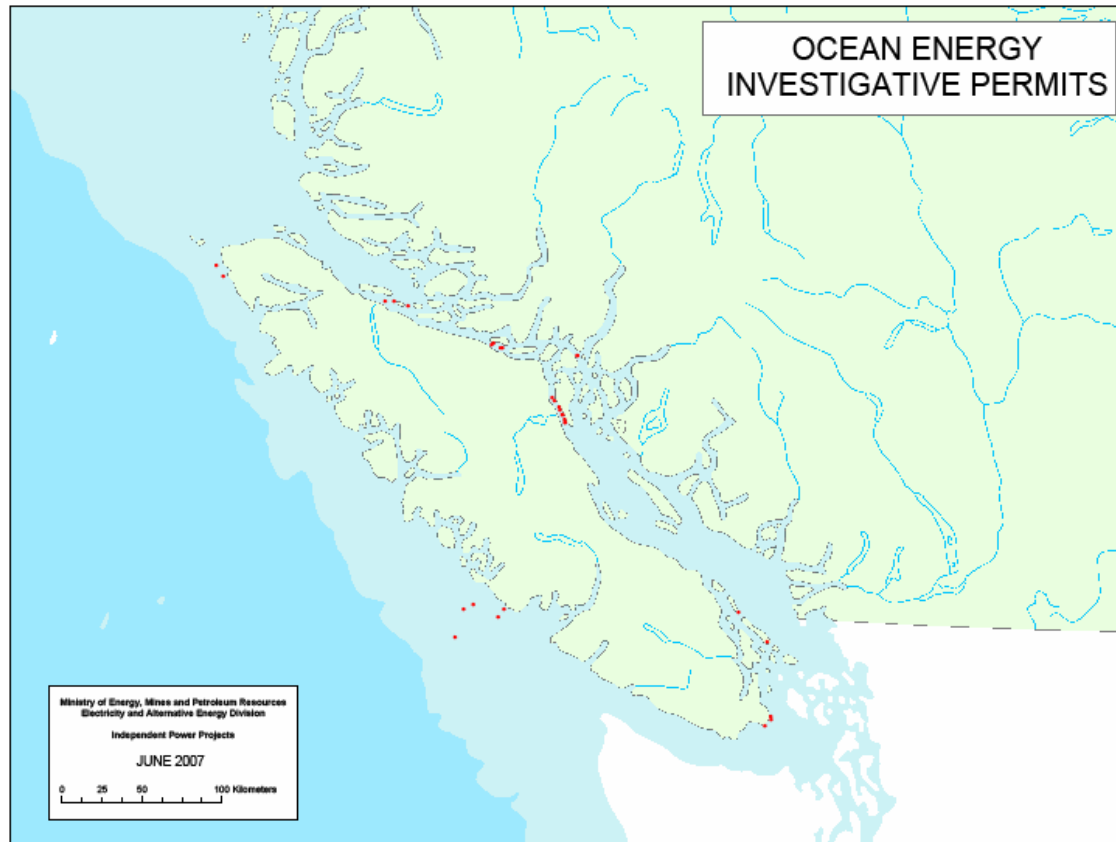
- **30 Investigative Permits applied for or issued**
- **6 companies**
- **Majority are tidal**



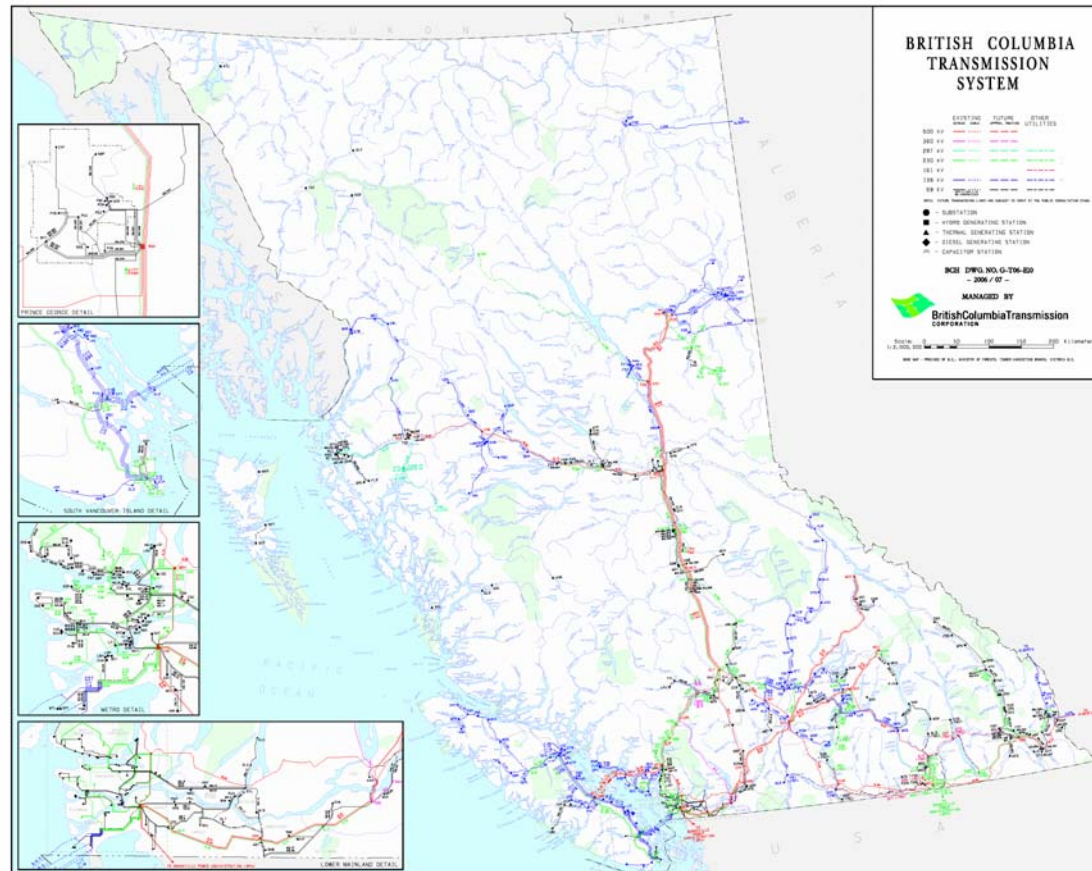
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Status of Ocean Energy Sector



BC Hydro/BC Transmission Corp. Transmission System



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