

A MINERAL EXPLORER'S GUIDE TO RESOURCE ROADS LAST UPDATED: MAY 19, 2020

INTRODUCTION

Mineral explorers rely on accessing British Columbia's network of 700,000 kilometres of resource roads – ranging from access by all-terrain vehicles and light trucks for prospecting through heavy equipment for drilling programs. Certainty of access is important for exploration companies to finance, plan, permit and carry-out exploration activities, and resource roads provide a cost-effective, on-the-ground means of access to remote mineral exploration activities. In most locations in BC, the only alternative to using resource roads is using an expensive, fuel-intensive helicopter, and for many exploration companies and almost all prospectors, helicopters are cost prohibitive. While road deactivation and rehabilitation has benefits such as reducing wildlife habitat fragmentation, it poses challenges in terms of accessing mineral tenure.

This guide is aimed at providing mineral explorers with information on resource roads, particularly in troubleshooting problems related to access. AME continues to advocate toward certainty regarding resource roads – including access to lands with mineral potential, and timely notification to all tenure holders if and when roads are deactivated.

BC'S ROAD NETWORK

There is no comprehensive inventory of roads in BC; it is estimated that more than 800 000 km of highways and roads exist in BC, with the vast majority being resources roads.

The Forest Practices Board estimated the following in 2015¹:

- 620 000 km of resource roads
 - o 480 000 km of these are built for forestry purposes
 - 240 000 km of roads built by the forestry industry on cutblocks
 - 180 000 km of haul roads built by the forestry industry, of which less than one-quarter is used at any given time (the remaining three-quarters are being maintained as wilderness roads, which may not be suitable for traffic)
 - 40 000 km of Forest Service Roads that are managed by the BC Ministry of Forests, Natural Resource Operations and Rural Development, of which one-third is maintained to provide access to rural residents and recreation sites, and two-thirds as wilderness roads
 - 20 000 km of these Forest Service Roads are managed by BC Timber Sales, a program within FLNRORD that manages much of the timber harvest.

¹ Forest Practices Board (2015). Access Management and Resource Roads: 2015 Update. https://www.bcfpb.ca/wp-content/uploads/2015/04/SR49-Access-Management-2015-Update.pdf



- 20 000 km for the oil and gas industry (much of which is built on muskeg and only supports traffic in winter)
- o 20 000 km built by, or the responsibility of others, mainly BC Hydro
- 100 000 km of roads with unknown status (approximately 40 per cent of which was likely built by the oil and gas industry, with most of the remainder built for the forestry industry)

In summary, there is a vast, largely informal network of roads that have been constructed under a multi-faceted regulatory framework. The sporadic use of much of this network creates challenges in terms of access, liability and wildlife management.

NAVIGATING BC'S RESOURCE ROADS

BC's resource road system requires some navigation. There is currently no one-stop shop for all resource road information, but the following may help anticipate challenges related to access.

- 1) Explore road tenures online.
- 2) Obtain up-to-date information from the local Natural Resource District and/or road tenure holders.

ONLINE INFORMATION ON RESOURCE ROADS

Although the Resource Road Safety Information portal contains information related to major roads, local roads are best viewed on the iMapBC platform. Road datasets can also be downloaded for use on Google Earth as well as GIS platforms (see the 1:20 000 scale Digital Road Atlas as an example -

https://www2.gov.bc.ca/gov/content/data/geographic-data-services/topographic-data/roads). Note that iMapBC does not contain current information regarding road conditions (including closures, gates, bridge washouts and deactivation).

Current Road Closures – Publicly Maintained Roads

Road closure information varies by natural resource district. Links to closure maps and lists can be accessed through the Resource Road Safety Information portal at https://www2.gov.bc.ca/gov/content/industry/natural-resource-use/resource-roads/local-road-safety-information.

Note that closure information is focused on publicly maintained and accessible roads. The Resource Road Safety Information portal also includes useful information related to general road conditions, radio frequencies and other resources, although the extent of this information varies from district to district.

Viewing Local Resource Roads

iMapBC: https://maps.gov.bc.ca/ess/hm/imap4m/

Add Provincial Layers > Licences and Permits > Forest Road Sections > All Forest Road Sections - FTEN Colour Themed



For each tenure section line, note the Life Cycle Status Code. ACTIVE suggests that motorized access is possible, while RETIRED road sections will likely not be accessible and may be reclaimed.

For each tenure section line, note the client name, which will indicate who has responsibility for maintaining the road. In most cases, it will be one of the following:

- 1) DISTRICT MANAGER contact the Natural Resource District.
- 2) TIMBER SALES MANAGER contact BC Timber Sales.
- 3) Local forestry operations contact the company mentioned; note that the location field may mention the relevant office location.

For a view of all related resource road tenures in one area, use the Explore by Location tool at https://portal.nrs.gov.bc.ca/web/client/explore and generate a detailed Area of Interest Evaluation Report. Road tenures will appear in Section 3.

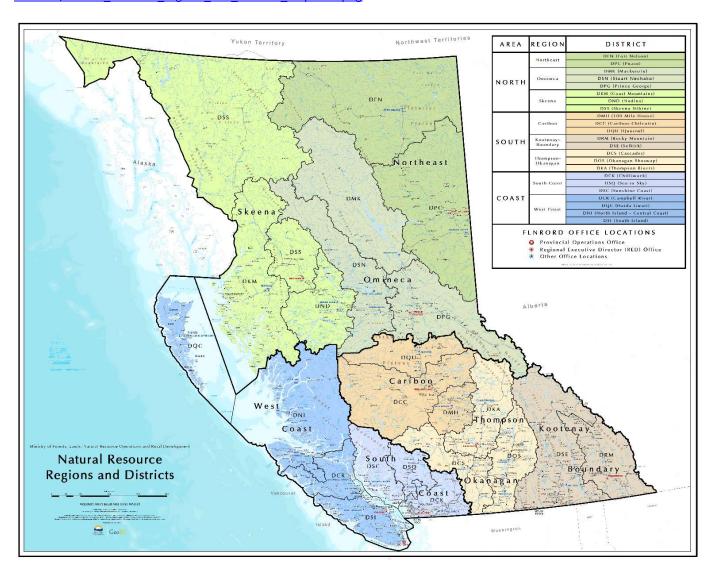


NATURAL RESOURCE DISTRICT OFFICES

Although online information may provide most useful information required to access mineral tenure, further information on resource roads is generally available through Natural Resource District Offices. Current contact information is available here: https://www2.gov.bc.ca/gov/content/industry/forestry/managing-our-forest-resources/ministry-of-forests-lands-and-natural-resource-operations-region-district-contacts.

Note that the Resource Road Safety Information Portal contains specific contact information for road closures and deactivations for some districts.

A map of Natural Resource Districts is below, and a full-scale version is available here: https://www2.gov.bc.ca/assets/gov/farming-natural-resources-and-industry/forestry/district-contacts/natural resource regions and districts map2017.png.





CARIBOO REGION

Cariboo-Chilcotin Natural Resource District (DCC)

200 - 640 Borland Street Williams Lake, B.C.

 $\underline{FLNR.AdminServicesCariboo@gov.bc.ca}$

250 398-4574

100 Mile House Natural Resource District (DMH)

300 Cariboo Hwy 97 100 Mile House, B.C.

Forests.100MileHouseDistrictOffice@gov.bc.ca

250 395-7800

Quesnel Natural Resource District (DQU)

322 Johnston Avenue Quesnel, B.C.

Forests.QuesnelDistrictOffice@gov.bc.ca

250 992-4400

KOOTENAY / BOUNDARY REGION

Selkirk Natural Resource District (DSE)

1907 Ridgewood Road

Nelson, B.C.

Resources.Nelson@gov.bc.ca

250 825-1100

Rocky Mountain Natural Resource District (DRM)

1902 Theatre Road Cranbrook, B.C. FCBC.CBK@gov.bc.ca 250 426-1766

Toll-free: 1877855-3222

NORTHEAST REGION

Fort Nelson Natural Resource District (DFN)

6100 Alaska Highway Fort Nelson, B.C.

Forests.FortNelsonDistrictOffice@gov.bc.ca

250 774-5511

Peace Natural Resource District (DPC)

9000 17th Street Dawson Creek, B.C.

Forests.PeaceDistrictOffice@gov.bc.ca

250 784-1200

OMINECA REGION

Mackenzie Natural Resource District (DMK)

1 Cicada Road Mackenzie, B.C.

Forests.MackenzieDistrictOffice@gov.bc.ca

250 997-2200

Prince George Natural Resource District (DPG)

2000 South Ospika Boulevard

Prince George, B.C.

Forests.PrinceGeorgeDistrictOffice@gov.bc.ca

250 614-7400

Stuart Nechako Natural Resource District (DSN)

Vanderhoof Office

1560 Hwy 16 East Vanderhoof, B.C.

Forests.VanderhoofDistrictOffice@gov.bc.ca

250 567-6363

Fort St. James Office

Stonesbay Road Fort St. James, BC

Forests.FortStJamesDistrictOffice@gov.bc.ca

250 996-5200

THOMPSON/OKANAGAN REGION

Cascades Natural Resource District (DCS)

3840 Airport Road Merritt, B.C.

forests.cascadesdistrictoffice@gov.bc.ca

250 378-8400

Toll-free: 1 800 665-1511

Okanagan Shuswap Natural Resource District (DOS)

2501 - 14th Avenue Vernon, B.C.

Forests.OkanaganShuswapDistrictOffice@gov.bc.ca

250 558-1700

Thompson Rivers Natural Resource District (DKA)

1265 Dalhousie Drive

Kamloops, B.C.

ThompsonRiversDistrict@gov.bc.ca

250 371-6500



SKEENA REGION

Nadina Natural Resource District (DND)

183 Highway 16 West Burns Lake, B.C. Forests.NadinaDistrictOffice@gov.bc.ca 250 692-2200

Skeena Stikine Natural Resource District (DSS)

Skeena Stikine District Office

3333 Tatlow Road Smithers, B.C. Forests.SkeenaStikineDistrictOffice@gov.bc.ca 250 847-6300

Toll-free: 1 888 540-8611

Hazelton Field Office

2210 Hwy 62 West Hazelton, B.C. Forests.SkeenaStikineDistrictOffice@gov.bc.ca 1 888 540-8611

Coast Mountain Natural Resource District (DKM)

200-5220 Keith Ave Terrace, B.C. Forests.KalumDistrictOffice@gov.bc.ca 250 638-5100

SOUTH COAST REGION

Chilliwack Natural Resource District (DCK)

46360 Airport Road Chilliwack, B.C. Forests.ChilliwackDistrictOffice@gov.bc.ca 604 702-5700

Sea to Sky Natural Resource District (DSQ)

101 - 42000 Loggers Lane Squamish, B.C. FLNRO.SeaToSkyDistrict@gov.bc.ca 604 898-2100

Sunshine Coast Natural Resource District (DSC)

7077 Duncan Street
Powell River, B.C.
Forests.SunshineCoastDistrictOffice@gov.bc.ca
604 485-0700

WEST COAST REGION

Campbell River Natural Resource District (DCR)

370 South Dogwood Street
Campbell River, B.C.
Forests.CampbellRiverDistrictOffice@gov.bc.ca
250 286-9300

Haida Gwaii Natural Resource District (DQC)

1229 Oceanview Drive Queen Charlotte, B.C. FrontCounterHaidaGwaii@gov.bc.ca 250 559-6200 Toll-free 1 800 663-7867

North Island Natural Resource District (DNI)

North Island District Office

2217 Mine Road
Port McNeill, B.C.
Forests.NorthIslandCentralCoastDistrictOffice@gov.
bc.ca
250 956-5021

Central Coast Field Office

1681 Airport Road Bella Coola, B.C. 250 982-2000

South Island Natural Resource District (DSI)

4885 Cherry Creek Road
Port Alberni, B.C.
Forests.SouthIslandDistrictOffice@gov.bc.ca
250 731-3000



BC TIMBER SALES

BC Timber Sales has various roles including managing about 20 per cent of the province's timber harvest, building and maintaining logging roads and reforesting harvested areas. The 12 local business offices may be a good source of information related to Forest Service Roads managed by BC Timber Sales (as indicated via IMapBC): https://www2.gov.bc.ca/gov/content/industry/forestry/bc-timber-sales/contact

Babine Business Area Office

183 Highway 16 West Burns Lake, B.C. 250 692-2200

Forests.BabineTimberSalesOffice@gov.bc.ca

Cariboo-Chilcotin Business Area Office

200 - 640 Borland Street Williams Lake, B.C. 250 398-4345

 $\underline{Forests. CaribooChilcotinTimberSalesOffice@gov.bc.c}$

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Chinook Business Area Office

46360 Airport Road Chilliwack, B.C. 604 702-5700

Forests.ChinookTimberSalesOffice@gov.bc.ca

Kamloops Business Area Office

1265 Dalhousie Drive Kamloops, B.C. 250 371-6500

Forests.KamloopsTimberSalesOffice@gov.bc.ca

Kootenay Business Area Office

1907 Ridgewood Road Nelson, B.C. 250 825-1100

 $\underline{Forests.KootenayTimberSalesOffice@gov.bc.ca}$

Okanagan-Columbia Business Area Office

2501-14th Avenue Vernon, B.C. 250 558-1700

 $\underline{Forests.OkanaganColumbiaTimberSalesOffice@gov.}$

bc.ca

Peace-Liard Business Area Office

9000 17th Street Dawson Creek, B.C. 250 784-1200

Forests.PeaceLiardTimberSalesOffice@gov.bc.ca

Prince George Business Area Office

2000 South Ospika Boulevard Prince George, B.C. 250 614-7400

Forests.PrinceGeorgeTimberSalesOffice@gov.bc.ca

Seaward/tlasta Business Area Office

2217 Mine Road Port McNeill, B.C. 250 956-5000

Forests.SeawardTimberSalesOffice@gov.bc.ca

Skeena Business Area Office

Room 200, 5220 Keith Avenue Terrace, B.C. 250 638-5100

Forests.SkeenaTimberSalesOffice@gov.bc.ca

Strait of Georgia Business Area Office

370 S. Dogwood Street Campbell River, B.C. 250 286-9300

Forests.StraitofGeorgiaTimberSalesOffice@gov.bc.ca

Stuart-Nechako Business Area Office

Box 190, 1522 Highway 16 Vanderhoof, B.C. 250 567-6363

Forests.StuartNechakoTimberSalesOffice@gov.bc.ca



LOCAL FORESTRY COMPANIES

Forestry companies are active on both Crown and private land. Active companies in any particular area can be identified through various layers in iMap including forest road tenure layers. Note that company deactivation plans are posted in the Resource Road Safety Information portal for each Natural Resource District.

Published contact information online varies by company. Larger companies are members of the BC Council of Forest Industries; a listing is here: https://www.cofi.org/about-us/.

FURTHER RESOURCES

Association for Mineral Exploration (AME)

AME tracks issues related to resource roads, and in some cases, may be able to offer further resources and support.

Association for Mineral Exploration 800-889 West Pender St., Vancouver, BC V6C 3B2 604.689.5271 info@amebc.ca

Staff lead: Jonathan Buchanan, Director, Regulatory and Technical Policy, 778.840.0620; jbuchanan@amebc.ca

Ministry of Energy, Mines and Petroleum Resources

The Mineral Titles Branch of the Ministry of Energy, Mines and Petroleum Resources administers the legislation governing the acquisition, exploration and development of mineral, placer mineral, and coal rights in the Province. Mineral Titles Branch staff may be able to help resolve disputes related to access to mineral tenure both on private land and with respect to private roads; 1-866-616-4999; Mineral.Titles@gov.bc.ca.

THE LAW

Resource roads are covered under various acts. Between 2009 and 2017, the province considered omnibus legislation through means including the Natural Resource Roads Act; however, since 2017, the province has aimed toward continual, incremental changes in legislation.

The following are some of the more common legislative tools used to govern resource roads:

Forest and Range Practices Act (FRPA)

The Forest and Range Practices Act, commonly referred to as FRPA (pronounced "fur-pa"), is the primary legislation that affects resource road management. Of particular note to the mineral exploration industry,



legislated wildlife management practices, known as general wildlife measures, particularly related to ungulate winter range, may be used to either partly or fully restrict access².

General wildlife measures (GWM) may have two impacts on explorers:

- 1) Access routes are deactivated in accordance with GWM.
- 2) Access for mineral and coal exploration may have seasonal and other restrictions, or may be arranged under an exemption to GWM through the Notice of Work process.

Wildlife Act

Regulations under the Wildlife Act including the Motor Vehicle Prohibition Regulation³, as well as the Closed Areas Regulation⁴ and Public Access Prohibition Regulation⁵, control access to roads in order to protect wildlife from hunting activities. Access restrictions related to hunting activities are published in the Hunting & Trapping Regulations Synopsis: https://www2.gov.bc.ca/gov/content/sports-culture/recreation/fishing-hunting/regulations-synopsis.

Often, commercial activities such as mineral exploration are permitted in roads that are otherwise closed⁶, but may require obtaining access through locked gates administered through the Natural Resource District.

Mineral Tenure Act

The Mineral Tenure Act protects access to mineral lands⁷.

Specifically related to road use, it provides that a Special Use Permit be granted for access to mineral titles; see https://www2.gov.bc.ca/gov/content/industry/forestry/forestry/forest-tenures/timber-harvesting-rights/special-use-permit-forestry for further information. However, the Act does not provide that pre-existing access be maintained.

The *Mineral Tenure Act* also provides for access through private land, and provides a means for dispute resolution between mineral and surface rights holders in the event of a dispute related to access ⁸. Related to accessing private land, the process is as follows:

- 1. Serve notice to enter private land in accordance with section 2.1 of the Mineral Tenure Act Regulation⁹
- 2. If the surface owner and the free miner cannot agree on the terms of access after notice is served, either or both parties may appeal to the Chief Gold Commissioner to mediate to resolve matters in dispute.
- 3. If the Chief Gold Commissioner is unable to resolve the matters in dispute, then the Chief Gold Commissioner will sign the SRB application form from either party to appeal the dispute to the Surface Rights Board.

² http://www.bclaws.ca/civix/document/id/complete/statreg/02069_01#section149.1

³ http://www.bclaws.ca/civix/document/id/complete/statreg/196 99

⁴ http://www.bclaws.ca/Recon/document/ID/freeside/76 84 01

⁵ http://www.bclaws.ca/EPLibraries/bclaws_new/document/ID/freeside/23_187_2003

⁶ http://www.bclaws.ca/civix/document/id/complete/statreg/196 99#section8

http://www.bclaws.ca/civix/document/id/complete/statreg/00 96292 01#section11.1

⁸ http://www.bclaws.ca/civix/document/id/complete/statreg/00 96292 01#section19

⁹ http://www.bclaws.ca/civix/document/id/complete/statreg/529 2004#section2.1



4. The Surface Rights Board has authority to issue orders with respect to terms and conditions and access. (Note that such decisions are more common in the oil and gas industry than in the mineral exploration industry. However, written decisions on disputes under Section 19 of the Mineral Tenure Act and jurisdiction can be helpful to understand the Board's interpretation of legislation and how disputes are settled; see https://decisions.surfacerightsboard.bc.ca/bcsrb/mo/en/nav_date.do)

Mining Right of Way Act

The Mining Right of Way Act provides mineral tenure holders with the right to use a road on Crown or private land if the road was built under the Mining Right of Way Act or another Act¹⁰ as well as terms for using existing roads regulated by the Industrial Roads Act¹¹ to access mineral tenure¹². Similar to the Mineral Tenure Act, the Mining Right of Way Act provides a means for dispute resolution between a mineral tenure holder and access road owner, and the Surface Rights Board has authority to issue orders under this Act.

Other Legislation

Access prohibitions can also be made under the *Land Act* and *Motor Vehicle All Terrain Act*, but these have a limited effect on mineral exploration activities.

ROAD AUTHORIZATIONS

Depending on activities, different permits may be needed for accessing and constructing roads. The Natural Resource Online Services portal at https://portal.nrs.gov.bc.ca/web/client/-/mineral-exploration contains further information. These permits are administered by Natural Resource District Offices.

Two authorizations frequently needed to conduct mineral exploration are Road Use Permits and Special Use Permits. Further information on each is available from Natural Resource District offices or FrontCounter BC.

Road Use Permit – Allows industrial access on Forest Service Roads. This permit specifies the size and weight limits and frequency of industrial vehicles to be used on the Forest Service road and can be applied for and filled out as an attachment to a Notice of Work application. http://www.frontcounterbc.ca/apps/app36.html

Special Use Permit – Allows for construction and maintenance of access roads including construction and maintenance of bridges and other drainage structures.

 $\frac{https://www2.gov.bc.ca/gov/content/industry/forestry/forest-tenures/timber-harvesting-rights/special-use-permit-forestry}{permit-forestry}$

¹⁰ http://www.bclaws.ca/civix/document/id/complete/statreg/96294 01#section10

¹¹ http://www.bclaws.ca/civix/document/id/complete/statreg/96189 01#section1

¹² http://www.bclaws.ca/civix/document/id/complete/statreg/96294 01#section6