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## MEMORANDUM

To: Hugh Sloan, Director of Planning  
From: Dawn O'Neill, Planning Technician  
Date: December 9, 2005  
Subject: Crown land referral – Investigative Use Permit for aggregate exploration  
Applicant: Mr. Earl Wilder  
Site location: Chehalis River Valley, Statlu Creek – Electoral Area “C”  
Legal Description: Un-surveyed crown land  
File No.: 3020-20-C99

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### RECOMMENDATION:

**THAT the Fraser Valley Regional District does not object to the small scale exploration activities associated with the proposed investigative use permit by Earl Wilder Aggregates Ltd in the vicinity of Statlu Creek, Electoral Area “C”, as described in the staff report dated December 9, 2005.**

### ISSUE:

The Fraser Valley Regional District has received a referral from the Integrated Land Management Bureau (Crown lands) for an investigative use permit to allow exploration activities associated with aggregate extraction.

### BACKGROUND:

#### *Proposal*

As outlined in their Management Plan, the proponent will conduct investigative work over the 230 hectare (568 acres) site for up to one year. Activities anticipated during this investigative period are expected to include the following:

- Collection of aggregate & mineral samples for lab testing
- Traverse and observation of potential aggregate site

Ultimately the applicant has an interest in developing a long-term aggregate operation in the Statlu Creek area (see Appendix 1 – location map). The field work and testing conducted during the year will determine whether there is potential for an aggregate mine.

*Crown policy – investigative use permits*

According to the Crown tenure policy, the Investigative Use Permit can provide a term of up to 2 years. During this period the applicant can access the crown land to conduct appraisals, inspections and analysis of the natural resource. We note that no buildings or structures are permitted under an Investigative Use Permit. Furthermore, the tenure holder can not obstruct or prevent the public for using the land during this time. The investigative permits provide applicants an opportunity to begin preliminary exploration work on crown land.

**DISCUSSION:**

*Zoning*

The proposed investigative activities are located in a remote area of the Electoral Area “C”. To reach the site, one would travel 8 kilometers up the Chehalis Forest Service Road. Given the mountainous location of the area, the subject property is zoned Institutional (L-2), as per the “Zoning Bylaw for Electoral Area “F”, 1978 of the Regional District of Fraser-Cheam”. The L-2 zone permits the extraction of raw materials, and it would appear that the proposed investigative activities are permitted in this zone.

*Exploration activities*

At this point the investigative work is small scale, and involves the digging of test pits, seismic testing of subsurface materials and field terrain assessments on foot and in a vehicle. The test pits will be excavated by machine, and will be no wider than the width of the excavator bucket. The pit holes will be filled in to their original state once test work has been completed. According to the applicant, no large scale clearing or excavation work is planned during this investigative phase. However it would be prudent for the applicant to obtain the services of a geotechnical engineer to ensure that testing activities will not impact private lands below.

*Future development*

Since the proposal is only in the exploratory phase, the applicant has yet to determine whether a long-term mining operation is feasible. Should the test results and field work demonstrate a potential mine site, the applicant would next apply to the Ministry of Energy and Mines (MEM). We would expect that the MEM application would contain the detailed operational and technical information associated with the project.

Upon receipt of a MEM referral the FVRD would also provide comments to the Ministry of Energy and Mines. Nonetheless at this stage we can identify a number of potential issues to address; impacts to Chehalis and Statlu River systems, transportation to/from mine site and market, view impact to tourism & residential areas, First Nations involvement, and geotechnical/hydrological impact to private lands below.

*Agency Referral*

We note that the crown lands referral was sent to a number of provincial and first nation agencies, but the Department of Fisheries and Oceans (DFO) was not listed. Given the location of the test site in the Statlu/Chehalis watershed, it may be prudent for crown lands to also refer the application to DFO.

**COST:**

There is no fee associated with the referral response.

**COMMENT BY DEPARTMENT HEAD:**

Concur with staff recommendation.

**COMMENT BY DIRECTOR OF FINANCE:**

No requirement for comment.

**COMMENT BY ADMINISTRATOR:**

Reviewed and concur with recommendation.

## Appendix 1- Location map of Statlu Creek investigative permit

