

File No.: 6140-35-009

December 5, 2017

Honourable Michelle Mungall  
Minister of Energy, Mines and Petroleum Resources  
PO Box 9380 Stn Prov Govt  
Victoria, BC V8V 9M6

*Sent Via Email: EMPR.Minister@gov.bc.ca*

Dear Minister Mungall,

**Re: Sumas Mountain Interregional Park – Extinguishing Current Mineral Claims Overlaying the Park Boundary**

On November 28, 2017 the Fraser Valley Regional District's (FVRD) Board held their regularly scheduled meeting. At this meeting a staff report was provided regarding the above noted issue, see attachment. This report came about as a result of the Board responded to a Minister of Energy Mines and Petroleum Resources referral a month before regarding a Mines Act Permit amendment (Referral No. 95697866-003) for a mineral exploration type permit authorizing a bulk sample of 6,000 tonne/year to a quarry permit authorizing 59,000 tonnes/year for 10 years and a Mining Lease extension (No. 1046251) from one year to 10 additional years (from Aug. 26, 2017 to August 25, 2027) known as the Golden quarry project which has a subject tenure within and adjacent to the park. The FVRD Board strongly objected to this amendment and extension.

The Board further directed staff to prepare a report on extinguishing the mineral tenure rights based on the Sumas Mountain Interregional Park Creation Agreement between the FVRD and Province under the New Democratic Party of British Columbia's Lower Mainland Nature Legacy Program. At this point in time, staff have identified four current mineral claims that overlap the park that were issued after the park creation agreement came into effect and one mineral claim adjacent to the park boundary where no consultation with the FVRD occurred.

At the November Board meeting the following resolution was passed unanimously:

**THAT** the Fraser Valley Regional District Board send a letter to the Mineral Titles Branch of the Ministry of Energy, Mines and Petroleum Resources stating that there are currently four mineral claims overlaying Sumas Mountain Interregional Park which contravene the Regional Park Creation Agreement that need to

be extinguished and one mineral claim that is adjacent to the park boundary where no consultation with the FVRD occurred.

Should the Ministry have any questions or comments concerning the resolution, please do not hesitate to contact David Urban, Manager of Outdoor Recreation Planning at (604) 702-5051 or by email at [urban@fvr.ca](mailto:urban@fvr.ca).

Sincerely,



Jason Lum  
Chair, FVRD Board

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cc: Mark Messmer, Chief Gold Commissioner, Mineral Titles Branch, Ministry of Energy, Mines and Petroleum Resources  
David Urban, Manager of Outdoor Recreation Planning, FVRD

To: Regional and Corporate Services Committee

Date: 2017-11-16

From: David Urban, Manager of Outdoor Recreation Planning

File No: 6140-35-009

**Subject: Sumas Mountain Interregional Park – Extinguishing Current Mineral Claims Overlaying the Park Boundary**

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### RECOMMENDATION

**THAT** the Fraser Valley Regional District Board send a letter to the Mineral Titles Branch of the Ministry of Energy, Mines and Petroleum Resources stating that there are currently four mineral claims overlaying Sumas Mountain Interregional Park which contravene the Regional Park Creation Agreement that need to be extinguished and one mineral claim that is adjacent to the park boundary where no consultation with the FVRD occurred.

### STRATEGIC AREA(S) OF FOCUS

Support Environmental Stewardship  
Foster a Strong & Diverse Economy  
Support Healthy & Sustainable Community

### PRIORITIES

Priority #4 Tourism  
Priority #5 Outdoor Recreation

### BACKGROUND

In September the Board responded to the Minister of Energy Mines and Petroleum Resources strongly objecting to the development of a quarry and mining activity on Sumas Mountain adjacent to Sumas Mountain Interregional Park. The Board further directed staff to prepare a report on extinguishing the mineral tenure rights based on the Sumas Mountain Interregional Park creation agreement. At this point in time, staff has identified four current mineral claims that overlap the park that were issued after the park creation agreement came into effect and one mineral claim adjacent to the park boundary where no consultation with the FVRD occurred.

### DISCUSSION

Sumas Mountain Regional Park (SMRP) was established in 1995 under the New Democratic Party of British Columbia's Lower Mainland Nature Legacy Program and the Sumas Mountain Regional Park Creation Agreement between the FVRD and Province became official in 2001. This agreement made a number of commitments with respect to the SMRP and mineral claims which are notable:

1. New or cancelled mineral claims transfer to the Regional District

The agreement states under Section 3.2 – Mineral Claim Lands, that *“if and when mineral claims lapse or are cancelled, the Province shall, on the terms and conditions of this agreement, enter into a lease with the FVRD on the same terms and conditions as the Provincial Lease for the balance of the term remaining in the Provincial Lease for the Mineral Claims Lands and any renewals thereof in priority to all liens, charges and encumbrances but subject to the Provincial Land Permitted encumbrances”*.

Meaning, when the claims lapse or cancelled they transfer to the Regional District, this would imply no new claims would be issued once lapsed or are cancelled.

2. Adjacent mineral claims require consultation

The Sumas Mountain Regional Park Plan dated January 1998, approved by the Crown, states that *“for lands adjacent to or in the vicinity of the Park, the ‘Region will undertake a detailed review process including, where appropriate, a public information meeting, to determine the impact and compatibility of the proposed tenure with Park and its surrounding environment”*.

Staff has determined that four mineral claims were issued since 2001 overlapping with the park and one mineral claim adjacent to the park boundary where no consultation with the FVRD occurred, see Appendix A. These five mineral claims are:

Overlap the Regional Park

1. Title Number 1050213 – issued on February 22, 2017 for 84.57 ha (208.97 acres)
2. Title Number 1050215 – issued on February 22, 2017 for 63.44 ha (156.76 acres)
3. Title Number 1048339 – issued December 8, 2016 for 63.47 ha (156.83 acres)
4. Title Number 1000062 – issued June 22, 2012 for 528.77 ha (1,306.61 acres)

Adjacent to the Regional Park

5. Title Number 1036851 – issued June 22, 2015 for 190.30 ha (470.24 acres)

## **COST**

There are no cost implications at this time.

## **CONCLUSION**

Four mineral claims and another claim without consultation that is adjacent to the park boundary were established after the park creation agreement came into effect in 2001. Next step is to inform the Mineral Titles Branch of these contravenes of the Regional Park Creation Agreement and begin to rectify this situation.

**COMMENTS BY:**

**Barclay Pitkethly, Director of Regional Programs**

Reviewed and supported.

**Mike Veenbaas, Director of Financial Services**

No further financial comments.

**Paul Gipps, Chief Administrative Officer**

Reviewed and supported

