

Summary

Nov 1/2019

I have been in this a long time. I can remember as a little kid in the early 1980's, my dad would take me out to work the creeks by hand. The same thing he was learning with his uncle in the 1930's on the same creeks...In 2012 I took my son out for his first trip into the gold fields.

Below, you are going to read several generations of responses from what I have learned. My offer to you is to spend one day with me panning on a creek to understand how hand testing and hand mining works. At the very least you will come to understand the value of gold you get for the work you do and the crushing and largely unnecessary limitations you are proposing in this update.

Many areas are already plagued by those who have gone rogue. I know of claim owners who have claim jumpers work their ground in their absence. I have also been subject to someone doing mechanical testing on one of my claims and near a cabin too. These same people have no FMC or claim and no respect for any rules. If they know of a resource they can get to by hand, they just go and mine it.

The restrictions that you are proposing in this Update are crushing to the point where I begin to question the potential for a constitutional challenge on the right to work.

This update has the potential to criminalize people who are striving to follow a path of reasonability and/or people who are attempting to recover enough gold to feed themselves like in the 1930's.

The reason why so few have said anything is because the hand miners don't trust the ministry and fear becoming targets if they speak out. With zero accountability to those at Mt Polley, and now this update sends a message that the hand miner is going to be the political scape goat at a future show trial.

Is the theme for all this to set hand miners up to fail and then have a ban on placer mining altogether?

The stigma of contempt that the media created with sensationalizing mount polley has led to serious manipulation of our ministry. This manipulation is brought about by the public who cannot distinguish placer from hard rock mines. It is compounded by the ministry who has limited experience with hand mining and the history of hand mining. It is further exasperated by left wing media and interference by USA funded groups such as disclosed by Vivian Krause.

I do want to thank those who drafted this Information update. It was certainly no small task. I am grateful to have the opportunity to contribute to the discussion. I am certain this was written as a well-intentioned response to many somethings ministry officials found distressing.

I agree that something should be done to address circumstances such as where 20 people are hired to strip an area and mine it by hand. That must have been some rich ground for someone to go to that much trouble. However, my view of this information update is as one man out on his claim like most of us really are.

Thank you  
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## Placer

The following list describes the types of placer exploration activities that the Province views as falling outside the definition of a mine. These activities can generally be undertaken by recorded holders or their agents without a Mines Act permit or a written exemption:

- hand-panning with a shovel and a pan only, consistent with the following:
  - o material below the high water mark is processed in the watercourse and is not removed from the riparian setback

There needs to be an exemption for hand digging in the setback.

Placer gold deposits occur by concentration on the inside corners of a given watercourse. These inside corners are the placer deposits traditionally mined by hand throughout history. These are known as “benches” and is where the creek flowed thousands of years ago. The gold washed down and would settle in these areas. Over the centuries the creek moved wearing a new parallel course leaving a “bench”. Figure one is a classic example. The setback is in fact exactly where a rich bench would occur.

Hand digging has a variety of factors that limit any digging and consequence of digging on the environment. Some of those limitations are based on value of gold to warrant the back-breaking labour to hand dig in any area. It is completely unreasonable to prevent a hand miner from hand digging in the setback area. Anyone hand digging in the 10 meter setback is either testing the area for gold or recovering enough gold to warrant the hard work that comes with hand digging/testing.

Further the numbers are a 1000 to 1. Meaning, a hand miner will move one yard of dirt to a machine moving a thousand yards in the same amount of time. This is just some of the factors that limit hand digging. To put hand digging in the same category as heavy equipment is unreasonable.

o activities that occur in or about streams occur in accordance with regional terms and conditions and timing windows<sup>1</sup> ;

This is fairly reasonable at face value but an example of what and how that interpretation would apply would help to determine applicability

- other hand-conducted exploration activities, consistent with the following:
  - o all activity is limited to dry, non-vegetated portions of gravel bars and/or areas outside of the riparian setback (aside from a narrow foot path to access areas outside of the riparian setback – see “Figure 2” for reference) that does not disturb vegetation, with no puddles present at the time of excavation;

Again, an exemption should be in place for Hand digging in the setback. To put hand digging in the same category as heavy equipment is unreasonable.

o the total volume of each pit or trench does not exceed 3 cubic metres in volume;

This is unreasonable. Especially when the test pit material is washed back into the hole with a sluice and pump. The hole dimensions are too small to operate a sluice

o each pit or trench does not exceed 1.2 metres in depth;

This is unreasonable. Any test pit should reflect current BC regulations (work safe) about proper sloping after 4 feet with a man in the hole.

o the cumulative total of all un-reclaimed pits and/or trenches does not exceed 5 pits and/or trenches at any one time;

This seems reasonable.

o excavated material from a gravel bar is processed within the watercourse and is not transported away from the gravel bar for processing;

This seems reasonable but I am not as familiar with working gravel bars on rivers.

o sluice boxes, high bankers, jig/shaker tables, settling ponds, tailings piles, or any holes are not located within a riparian setback;

There should be an exemption to this as well. For anyone to invest the time and labour to build by hand such infrastructure would have to have a good resource of gold to justify it. It is also much easier to utilize an area at water table for a mining area and ponds. Again, the best placer gold deposits accessible by hand are the inside corners of a creek as per in the set back area of figure one.

o sluice boxes, high bankers or jig/shaker tables are not used within the flowing water of any watercourse;

While I have grown up with this particular regulation, I also have family history going back to the 1930's that would see this as unreasonable. Again, this is a 1000 to 1 argument where hand digging is being put in the same category as heavy equipment. I would suggest a limit of using a 4 foot in length sluice box by 1 foot wide maximum. A person could only feed 1 yrd of material per day by creek water flow and pressure. A yard of material per day is also about what a person can pan too.

o sluice boxes or high bankers are readily moved by hand and do not contain any moving parts driven by mechanical means, with the exception of a small portable water pump; and,

An exception should also extend to a small generator to either power a pump or a trommel attachment on a sluice box/high banker. A hand feed trommel is meant to break up material in heavy clay before it goes through a sluice box. A trommel is a drum lined with bars. It turns, breaking up material and helping to classify material before it runs through the sluice box. It is very similar in principal to a high banker. However, a high banker is more used for gravel/sand with minimal clay.

o there is no use of mechanically-powered suction dredging and/or hand- or mechanically-powered "sniping" equipment in any watercourse.

Hand sniping equipment poses no threat to the environment and it is unreasonable to prevent people from doing hand sniping. I would like to see an exemption for small dredges based on science. Studies suggest that dredging can actually be beneficial to fish habitat.

o there is no use of hydraulic mining ("hydraulic") equipment.

This is reasonable. However, attention should be given to more research. Studies may help to identify a balance with current practices regarding sediment. Thankfully we don't hydraulick at any level anymore but the historical data may still be of value. For example the Bullion Pit in the Likely area is an example of a hydraulick operations and the largest in the world in its day. All studies on salmon and fish for the last 100 years regarding Quesnel river incorporates the environmental effects of the bullion pit.

Recorded holders or their agents:

- are encouraged to engage with Indigenous Nations with overlapping interests before undertaking any activities on the recorded holder's mineral or coal titles;

I have had enough personal experience to openly object to this. It is unreasonable to suggest that any tenure holder should willingly put themselves in the line of fire for having a shovel and a pan. A line of fire that government created spanning generations. The present censorship by political correctness breeds ignorance instead of reconciliation.

- are encouraged to obtain a valid First Aid certification and bring a minimum level-2 first aid kit with them during exploration;

This needs to be rewritten to reflect Work safe requirements which are already stringent enough for number of workers and equipment on site. A level two kit for one person out panning for the day is unreasonable. If you are really serious about upgrading this, I would be able to help with that

- must not exceed the access rights that are granted under the Mineral Tenure Act and should be aware that there are no exclusive rights to the land granted under the Mineral Tenure Act;

This appears reasonable

- must stop work immediately if they believe they have uncovered any archaeological materials, in accordance with the Heritage Conservation Act. Recorded holders or their agents should record the find location, leave the remains in place, and contact both the applicable EMPR regional office and the Archaeology Branch;

Yes this is essential to preservation of aboriginal history. Archaeological locations should also be expanded to include gold rush and 1930's historical workings in the context of that history being documented before being disturbed in the present.

- must not cut, damage, or destroy trees without an appropriate Free Use Permit under the Forest Act if so required;

If I remember correctly, we are allowed to cut anything up to two inches. It is unreasonable to make someone get a permit to cut some brush on an access or limb some tree's. It may be better to reword trees as "merchantable timber" which would include trees such as for example pine, spruce, fir etc?

- must only access site via footpaths or existing roads and trails, as per the Mineral Tenure Act;

Reasonable

- should ensure all activities are conducted in a manner that does not expose persons to undue risks to health and safety arising out of, or in connection with, exploration activities;

### Reasonable

- should not take any sample larger than what can be reasonably carried in whole by an individual without mechanical means (e.g. vehicle, helicopter);

### Reasonable

- should conduct all activities and dispose of all waste in a manner that ensures full protection to waterways and the land base;

### Reasonable

- should ensure that all water discharged from a sluice box, high banker or backpack drill is discharged into a settling pond for infiltration and that no sediment laden water is discharged into a watercourse;

While I have grown up with this particular regulation and I agree with it, I also have family history going back to the 1930's that would see this as unreasonable. Again this is a 1000 to 1 argument where hand digging is being put in the same category as heavy equipment.

- should ensure all pits or trenches are flagged while exploration works are ongoing and made safe when record holder not present;

### Reasonable

- o all pits or trenches should be backfilled and reclaimed as soon as possible (or within 12 months) following completion of mapping, sampling, or other activities;

While I do agree with this in part, I have to make a point about this. Each operation builds on the last operation. In hand testing there is the having to utilize infrastructure from roads, skid/access trails to old test pits/ponds and mining areas spanning over a century. What is left behind is a record for the next person and is used again in time based on price of gold.

For example, there are sites from the 1800's that I could only find because there was no reclamation in that time and barely any evidence today that they were even there all those years ago. However, that is part of the research that goes into finding a rich strike today by hand.

This shaft showed on the Bowman map drawn in the 1800's. This map details Keithley Creek, the Snowshoe creeks and Snowshoe mountain (yanks peak). This particular shaft is on French Snowshoe Creek and reads "43 feet no bedrock". That is important information and it is also important to know where this place is on the ground.

- should contact the applicable EMPR regional office prior to engaging in hand-powered "sniping" activities in any watercourse;

This is unreasonable and contradictory to the above that states that hand sniping is not permitted.

- when conducting placer exploration activities, all holes and any settling ponds should be leveled and contoured as gravel is processed to ensure that all depressions are filled to avoid the entrapment of fish should water levels fluctuate due to seasonal variation;

Digging a hole on a gravel bar or in any area of the creek is only going to be filled in on the next spring run off. I do not understand how fish could become trapped?

- when conducting placer exploration activities, water intakes should be screened in accordance with Fisheries and Oceans Canada specifications (screen openings must not exceed 2.5 mm), and size of pumps does not exceed a 38 mm (1.5 inches) suction intake;

Reasonable

- should minimize water running through gravity pumps by turning off the mechanism for action when not in use;

Reasonable

- should be aware that water use is subject to restrictions under Section 56 of the Water Sustainability Regulation;

The water use of a 1.5inch pump to run a hand feed wash plant should continue to be exempt. It is unreasonable to place restrictions on such a small amount water for the use intended

- should not place fuel within the high water mark or a riparian setback;

Reasonable

- o all pumps should have incorporated fuel spill protection components;

Reasonable as long as that translates as a drip tray is sufficient when there is a known drip.

- o emergency spill kits should be retained on site while exploration activity is ongoing;

Reasonable

- should not leave or store refuse or other materials on their mineral or coal titles when not actively conducting exploration activities. Such materials will be considered “discarded or abandoned” and, as such, must be removed;

Reasonable

- should not construct or occupy permanent facilities on Crown land. Tents, trailers, or campers are permissible provided they are located outside of the riparian setback while undertaking exploration onsite. These permissible articles must be removed at the end of the seasonal work program; and
- o may only occupy their mineral or coal titles while legitimate exploration activity is occurring; and
- o must not use their mineral or coal titles for recreational camping or other recreational or residential purposes.

Reasonable in the context that there is a provision regarding the preservation of historical cabins. There are historical cabins that I hear are under threat of being destroyed by the Ministry of Mines. One historical cabin I know of was destroyed. In the name of preservation of our nations culture and history, I demand that this destruction stops.