

#### **4. Mineral Resources Act Regulations Targeted Engagement with Mining Industry Presentations**

Date Range 2022 09 09 to 2022 11 28-29

35. 2022 09 09 Legacy and Transitional Ideas 15 pages [to Mining Industry]
36. 2022 09 09 Evidence of Deposit Technical Report EDTR 17 pages [to Mining Industry]
37. 2022 09 09 Lease Application 14 pages [to Mining Industry]
38. 2022 09 09 Mineral Rights Review Board 21 pages [to Mining Industry]
39. 2022 09 28 Chamber of Mines Engagement Mineral Resources Act Regulations 14 pages [to Chamber of Mines]
40. 2022 09 28 Online Map Staking 3 pages [to Chamber of Mines]
41. 2022 11 28 Mineral Resources Act Chamber of Mines Tenure Walk Through 52 pages [to Chamber of Mines]
42. 2022 11 28 Staking Disputes 19 pages [to Chamber of Mines]
43. 2022 11 28 Production Licence Chamber of Mines Production Licence Statistical Returns 13 pages [to Chamber of Mines]
44. 2022 11 28-29 Chamber of Mines 5 pages [to Chamber of Mines]
45. 2022 MRA Regulations Industry Targeted Engagement Summary and Statistics 28 pages [to Chamber of Mines]
46. Notice of Intended Work Form DRAFT 4 pages [to Chamber of Mines]

#### **Explanatory Note:**

These documents were provided by Dept. of Industry, Tourism and Investment pursuant to ATIPP request ITI-22-23-G-129.

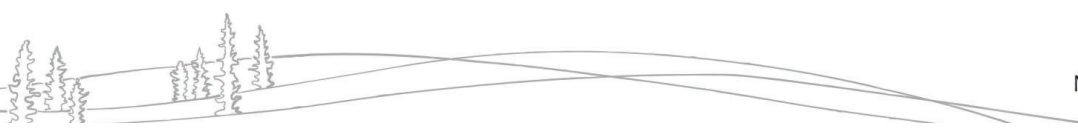
Presentation materials (PowerPoint presentation slides and any handout documents) on the development of the Mineral Resources Act regulations as given by the Department of Industry, Tourism and Investment to the NWT and Nunavut Chamber of Mines and other mining industry organizations (including individual companies) for meetings held between January 1, 2021 and December 13, 2022.

Documents previously made public have been removed and the meeting dates and recipients of the presentations have been identified as best as possible using [Tabled Document \(TD 817-192\)](#) Mineral Resources Act Implementation Engagement Tracking Log, November 25, 2022.



# Legacy and Transitional Ideas

September 9, 2022



Government of  
Northwest Territories

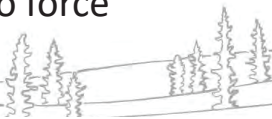
## Background

- The *Mining Regulations* under the *Northwest Territories Lands Act* and anticipated to be under the *Public Land Act* will be repealed when the *Mineral Resources Act* (MRA) comes into force.
- Existing “interests in minerals” and other mineral holdings (prospector’s licences and prospecting permits) are transitioned from being governed by the *Mining Regulations* to the MRA.
- Regulations need to specify which rules remain grandfathered and which are integrated into the new system.
- The factors into legacy analysis and decisions were previously presented.
- These ideas still need to go through multidisciplinary review before any decisions, but they are the ones that have crystallized through the process of making the system function as a whole and the IGCS development process.



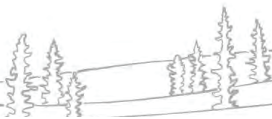
## PROSPECTOR'S LICENCES

- All existing prospector's licences at the time of coming into force will be grandfathered but upon renewal, within a year, fall under the MRA and its regulations
  - Required to meet the prospector's awareness course for obtaining a licence
- Prospector's licences under the *Mining Regulations* have a one year term starting April 1st before renewal is required so Legacy prospector's licences will all expire the March 31st in the year that the MRA prospector's licence provisions come into force
- Legacy licences will need renewal under the MRA
  - Renewal effective date will be April 1st (valid for 5 years)
  - Renewal: required training course in advance of March 31st of the year of coming into force



## PROSPECTING PERMITS

- Pause receiving applications for prospecting permits until the regulations can be amended and brought into force
- Exceptions for entitlements under land and resources agreements
- Legacy prospecting permits will be grandfathered for maintenance requirements (work reports, deposits and ability to stake claims)



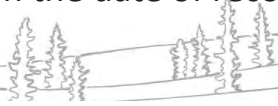
# NOTICE OF INTENDED WORK

- All legacy claims are required to follow the notice of intended work provisions of the MRA and its regulations



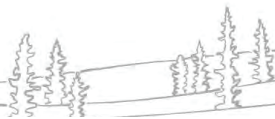
## WORK REQUIREMENTS FOR CLAIMS

- Under the MRA, any cost of work reported and confirmed under the *Mining Regulations*, continues in accordance with those regulations until the expiry of five years after this Act comes into force.
  - All work confirmed by a certificate of work is grandfathered at rates for up to 5 years after coming into force
- After 5 years, credits banked under the *Mining Regulations* will be applied dollar for dollar under the MRA work rates
- Legacy claims will be reset at year 0 and have a 30-year claim life
  - Their anniversary date (the date of recording annually) will remain the same based on the date of recording



## CLAIMS STAKED UNDER PRIOR VERSIONS OF THE *MINING REGULATIONS* THAT ALLOWED INDEFINITE CARRY FORWARD OF CREDITS

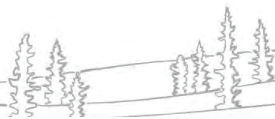
- Still under development, but seeking a fair way to limit this carry forward or vet projects that reasonably still have exploration purposes
- Some claims are good until for another 60 or more years





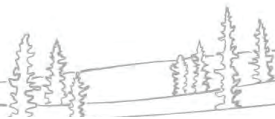
## EVIDENCE OF DEPOSIT - CLAIMS

- All claims are required to meet the evidence of deposit regulations in order for an application for mineral lease to be accepted for processing



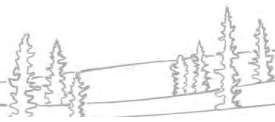
# EVIDENCE OF DEPOSIT MRA - LEASES

- Under development



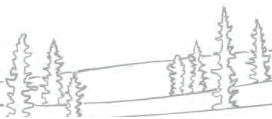
## LEASES – RENT MAINTENANCE REQUIREMENT

- Legacy mineral lease holders will go to the new lease rental rate at 5 years after coming into force if their renewal precedes 5 years, or at renewal if their renewal is after 5 years



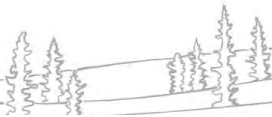
## LEASES – NON-RENT MAINTENANCE REQUIREMENTS

- Legacy mineral lease holders must comply with all maintenance requirements under the MRA (except the new rental rates, as applicable) including work expenditure reporting upon coming into force.
- For the MRA regulations' work reporting requirement, the leaseholder can submit a report of 0.



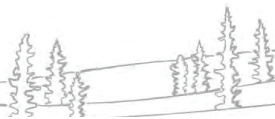
## PRODUCTION LICENCE

- Production licences will be required for legacy leaseholders who are in production at CIF
- Legacy leaseholders who go into production after CIF will be required to meet all production licence application requirements but there are no guaranteed processing times
  - Processing times can be reduced by submitting information in a timely manner
- Production licences are the anchor to requirements on various reporting and monitoring for production projects, and critical measures for generating benefits



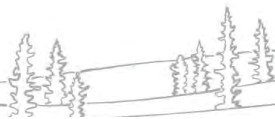
## BENEFIT AGREEMENTS

- Sections 53-55 and associated regulations will apply to legacy leaseholders
- By extension of the production licence applying to legacy leaseholders who are, or will be in production, section 53-55 will also be linked to those holders



# NWT Benefits

- No grandfathering
- By extension of the production licence applying to all legacy leaseholders who are, or will be in production, socio-economic agreement requirements will be linked to those holders



## TRANSFERS OF LEGACY MINERAL LEASES AND CLAIMS AFTER COMING INTO FORCE

- All MRA transfer sections and corresponding regulations will apply to transfers where the transfer application was submitted after CIF
- The proponent will have all corresponding obligations under the MRA to achieve a transfer and any associated Notice of Transfer will occur
- Transfer information will be published in the public registry as required
- These sections only apply to change of the named claimholder or leaseholder and do not apply to ownership changes completed outside the purview of the legislation

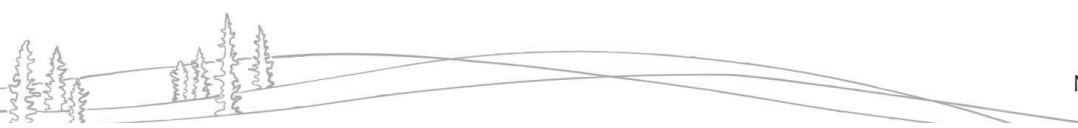






# Evidence of Deposit Technical Report (EDTR)

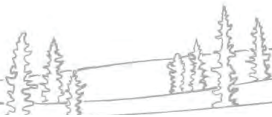
September 9, 2022

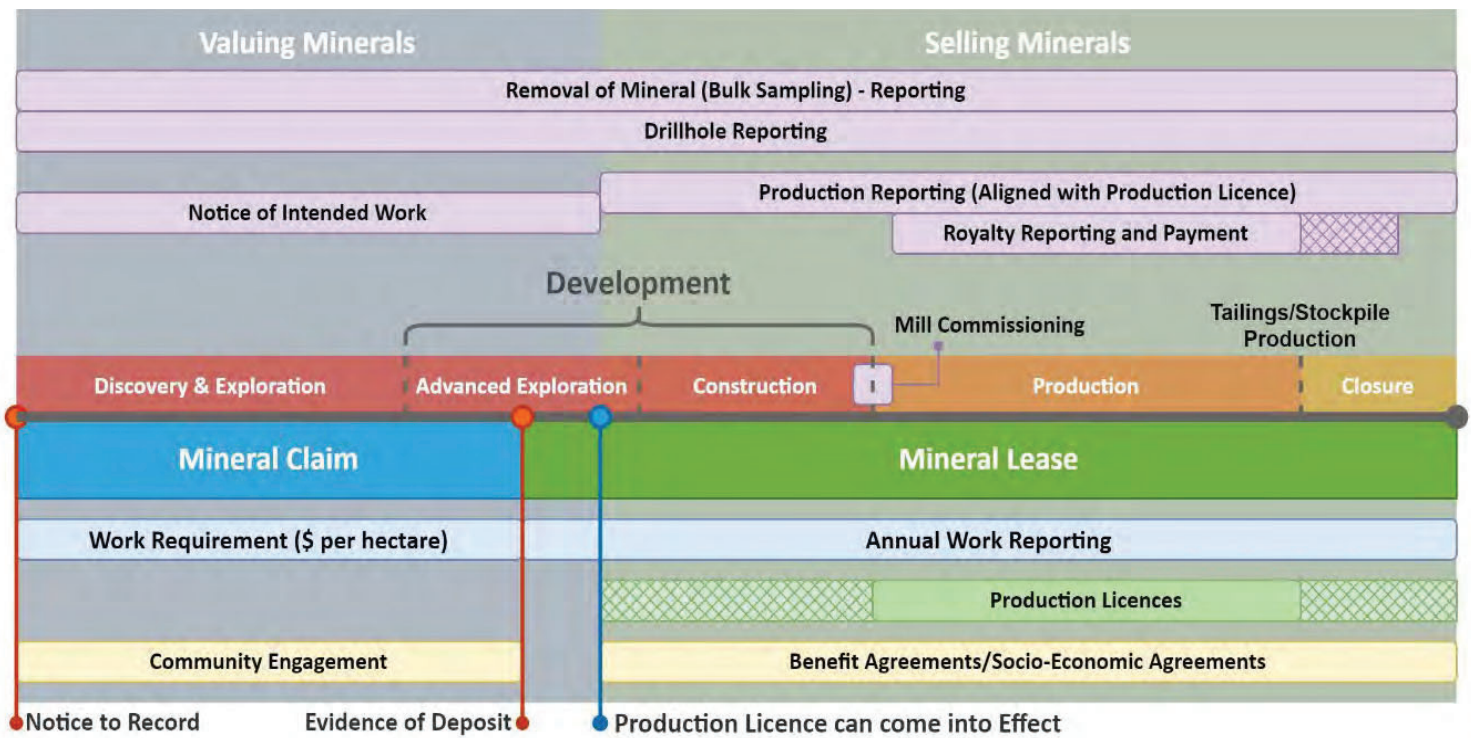


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# Background

- A merit based tenure system will require a threshold be defined to ensure that claims that are converted to mineral leases have defined economic potential
- The mineral leases issuance process should take into account Indigenous interest when the “right to extract” is transferred to the mineral lease holder.





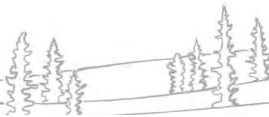
# Function of EDTR

- Assess whether a project is eligible to be issued a mineral lease through the submission of a technical report PFS, Simplified Report or equivalent
- Determine area (which mineral claims) are eligible for lease issuance
- Create trigger for the commencement of QIGO test
- The outputs of the application packet and analysis of EDTR will feed into the preliminary work that must be completed for SEA negotiations through the determination of capital expenditures and PY submitted in the data packet



# Evidence of Deposit – XJ Summary

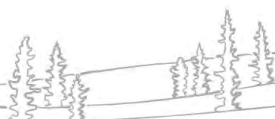
- Evidence of metallic and industrial mineral deposit (AB),
- Extent and value of an ore body has been determined (MB),
- Ore body has been delineated and the applicant has made a decision to commence production (NB),
- Extent and value of an ore body has been determined (NS),
- Demonstrate that a mineral resource exists under the area that is of significance size and quality to be potentially economic (NL),
- Lease in production within 5 years (QC). (need to check this number)



# EDTR System

Will have two pathways to EDTR certification

- Simplified EDTR
- EDTR



# EDTR Requirements

Evidence of Deposit Technical Report will have 4 elements

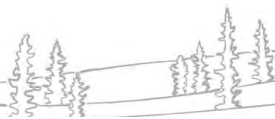
- Application (approved form)
- Prefeasibility Report or Technical Equivalent
  - NI 43 – 101 standards for disclosure
- Technical Summary Reports of Employment Data
- Summary of capital and operational expenditures for the life of mine



# Definition of Small Scale Mine

A *Small Scale Mine* is a mining project that does not pass the threshold of a *Major Mining Project* and as a such will not be subject to *benefit agreements*. A Small Scale Mine will still require a *Production Licence* to operate.

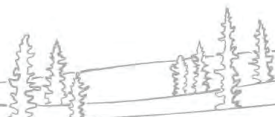
A small scale mine will be defined as a mining project that is projected to have less than \$50M CapEx cumulative (2021 constant \$) **and** less than 100 PY.





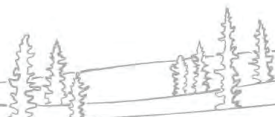
# Simplified EDTR

- Small Scale Mines will be exempt from filing an Evidence of Deposit Technical Report and instead will be required to file a Simplified Evidence of Deposit Technical Report for certification prior to application to convert a claim to a lease.
- Small Scale Mines should be eligible to submit a simplified Evidence of Deposit Technical Report.
- The Simplified Evidence of Deposit Technical Report will be submitted and signed by a registered professional geoscientist/engineer
- Small Scale Mines would be able to claim the cost of consulting fees for a professional geoscientist to review and sign off on a simplified report as a form of work.



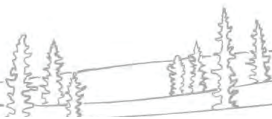
# Simplified EDTR

- Application in the approved form
- A description of the small scale mine
- A description of the project
- A plan for the extraction of mineral(s) including method(s)
- Employment resources plan for the duration of the mine
- A summary of operational and capital expenditures
- An estimate of the mineral value to be mined



# PRIVATE vs. PUBLIC COMPANIES

As the regulations have identified the Pre-Feasibility level study as defined by the CIM as the most suitable level of confidence on which to trigger a conversion to a Mineral Lease. Privately-held companies should be required to provide the key information as prescribed in those guidelines. This need not be the template required under NI 43-101 but would include the key information outlined by the CIM in a summary report that is signed by a Qualified Person (QP).



# Technical Equivalents

Technical equivalents for privately held company will be identified in a reporting schedule. Schedule will be developed to align with NI 43:101 standards of disclosure. These elements could include:

- Summary
- Property Description and Location
- History
- Geological Setting
- Adjacent Properties
- Deposit Types
- Mineralization
- Exploration
- Drilling
- Adjacent Properties
- Mineral Processing and Metallurgical Testing
- Mineral Resource Estimates
- Mineral Reserve Estimates

- Mining Operations
- Mineral and Hydrometallurgical Processing
- Project Infrastructure
- Capital Cost Estimates
- Operating Cost Estimates
- Other Relevant Data and Information
- Interpretation and Conclusions
- Recommendations
- References
- Date and Signature Page
- Certificate of Qualified Person

# EOD – Timing Requirements

- The EDTR certification process is linked into the timing of the lease application process.
- To make informed decisions it is recommended that the most up to date information is included in the lease decision making process.
- To ensure this, it is recommended that a lease application is supported by an EDTR certified within two years of certification and the EDTR should be submitted to the Mining Recorder within 12 months of the report's signature date.
- EDTR must be submitted prior to the 29<sup>th</sup> date of requirements (relief from requirements eligibility)

# Review of Submission

The submitted *Evidence of Deposit Technical Report* will be reviewed by the *Mining Recorder* to ensure it meets the following two criteria:

- **Pre-Feasibility Study** – Meets technical and financial criteria for lease issuance or *Simplified EDTR* Reporting Requirements for a small scale mine.
- **Mine Footprint** – Meets requirement that only the claims identified to build and operate the mine, or otherwise included as part of the project as an exploration target

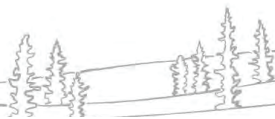


# Technical Requirements – Mine Footprint

The mine footprint is the area of a mining property that is designated as a mine. The ***Evidence of Deposit Technical Report*** will include a *Mine Footprint* analysis, where each claim being considered for lease conversion will have a usage justification.

Examples of this would be:

- Extraction area (Open Pit, Mine Underground footprint)
- Surface Infrastructure (Process Plant, Offices, Camp, Water Treatment Plant, Airstrip)
- Waste Storage Areas (Waste Dump, Tailing Storage, Water Treatment Pond)
- Exploration Targets

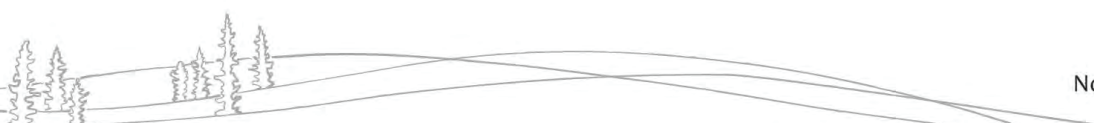


# Certification of Submission

The certification of the **EDTR** should be done ITI by a QP or an external consultant acting in the capacity of a QP.

The certification of the **Mine Footprint** should be done by the *Mining Recorder*.

Upon the receipt of *Evidence of Deposit Technical Report Certification*, the *Mining Recorder* will record the **Evidence of Deposit Technical Report** against the mining claims included in the **EDTR**.

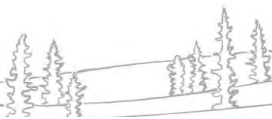




# EDTR - Communication

Upon the EDTR certification being recorded on the Mineral Claims, the Mining Recorder will provide Indigenous Governments with:

- The scale and size of the Mining Project (Employment, CapEx, OpEX)
- Location and Area of Mineral Claims eligible for conversion to Lease
- Preliminary Timing and Mine Life Duration
- Volume, Tonnage and description of the deposits
- Net Present Value (NPV) for the mineral claims included in the EDTR application (where it is already public or where the proponent authorizes disclosure)





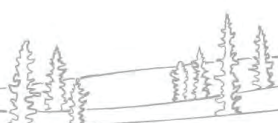
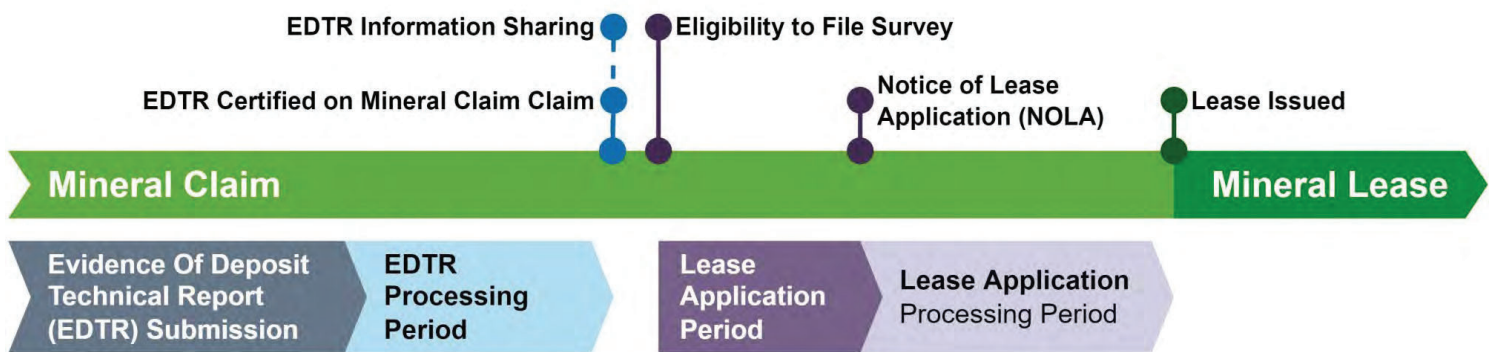
# Lease Application

September 9, 2022

Government of  
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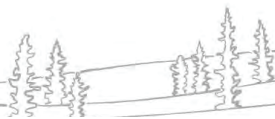


# System Overview



# NOLA

Notification of Lease Application (NOLA) – Will be a notification issued to Indigenous Governments once a lease application is received from a mineral claim holder.



# NOLA Proposal – Information Flow

EDTR process will provide Indigenous Governments information for the Mining Project that includes:

- The scale and size of the Mining Project (Employment, CapEx, OpEx)
- Location and Area of Mineral Claims eligible for conversion
- Preliminary Timing and Mine Life duration
- Volume, Tonnage and description of the deposit
- Net Present Value (where it is already public or where proponent authorizes disclosure)

NOLA will provide Indigenous Governments information that the lease application has been submitted with information that includes:

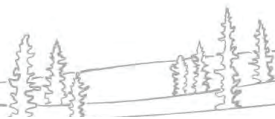
- Name of Lease Holder(s)
- Project Name
- A list of mining claims included within the lease application and corresponding lease numbers if available
  - Including a map
- Date of Application



# Lease Eligibility

In order for a proponent to be eligible for a mineral lease:

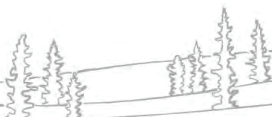
- Prospector's Licence
- Certified EDTR for mineral claim(s)
- Survey plan
- Application must not exceed the maximum area of contiguous recorded claims (1250 ha)



# Technical Requirements

These items will need to be in place before lease issuance but are not required elements for the filing of an application:

- Certificates of work must have been recorded for the minimum amount of work
- Rent for the first year has been paid to the Mining Recorder

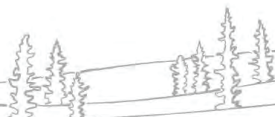


# Minimum Work Requirements

The merit-based tenure system requires a different approach to minimum work requirements

If we were to apply the methodology used under the current *Mining Regulations* the value would be **\$325** - the monetary equivalent of **20 years'** worth of work

Simplified method to be adopted for under the MRA. The minimum amount of work will be **\$70/ha** the monetary equivalent of **10 years'** worth of work



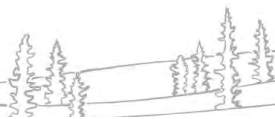


# Minimum Work Requirements

The regulations will also need to further refine the limit on the \$/ha of work that is allowed to meet this requirement when the work is:

- plan of survey,
- building of roads, airstrips and docks, etc.

This value will be **\$15/ha**



# EDTR Certified

EDTR will alter the current lease issuance process in terms of information available to stakeholders at time of lease issuance including:

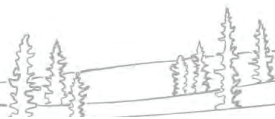
- Proposed Mine Footprint
- Capital Expenditures
- Employment Data
- Details on Estimated Mine Life
- Inputs and development of QIGOs with the associated project which will be identified at lease issuance by the Minister



# Timing Of Application

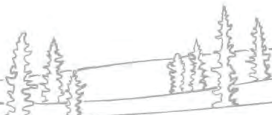
Need to define timing of lease application in the mineral claim life. For two scenarios:

- Standard timing limitations
- End of claim life and interactions with EOD and Lease Issuance timelines – Relief from deadlines



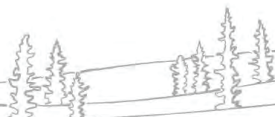
# Timing - Standard

- A lease application must be submitted within 24 months after the EDTR was certified
- Once EDTR is certified a plan of survey can be filed

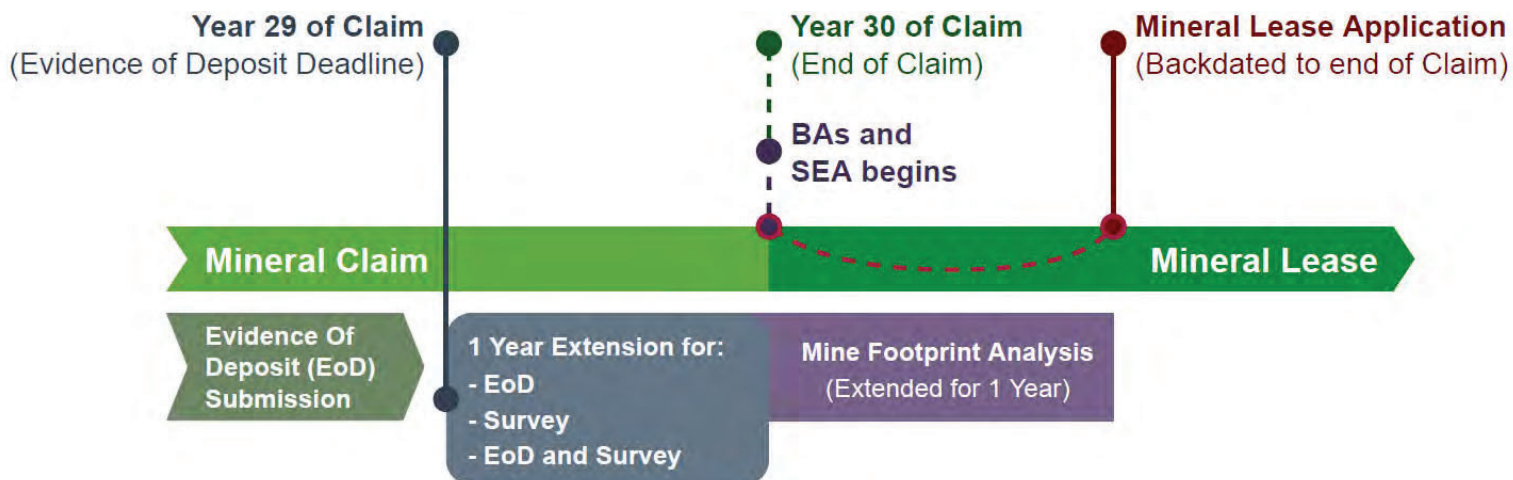


# Timing – Relief from Deadlines

- Applied to Survey and Evidence of Deposit technical requirements
  - Sensitive to end of claim life
  - Timelines will mirror current regulations concerning survey relief
  - Will affect a small amount of eligible claims
  - Significant investment and time, potential for benefits is high.
  - Necessary to maintain a mechanism to allow for extra time



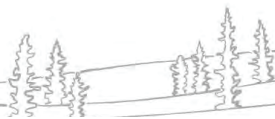
# Relief from Deadlines



# Lease Rents Proposal

The mineral lease rental structure within the NWT mining regulations will consist of a single, fixed mineral lease rental rate that is comparable with other Canadian jurisdictions, and which will not be increased upon renewal

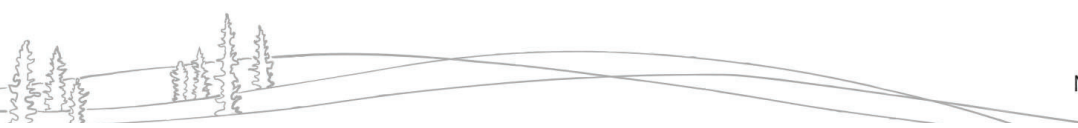
Increase mineral lease rental fees to \$10/hectare





# MINERAL RIGHTS REVIEW BOARD

September 9<sup>th</sup>, 2022



Government of  
Northwest Territories



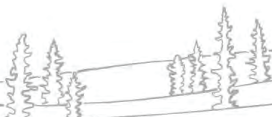
## Require Solicitation of Expressions of Interest Before Appointments

The Minister is required to do a solicitation of expression of interest before making appointments to the MRRB.



## Inclusive Appointment Selection: Diversity Statement

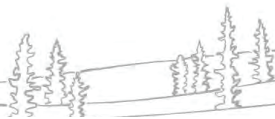
Include a regulation stating that in “appointing members, the Minister shall endeavour to ensure that the Review Board reflects the diversity of the population and gender balance of the people of the Northwest Territories”.



## Guidance for Minister's Appointments: Advisory Body

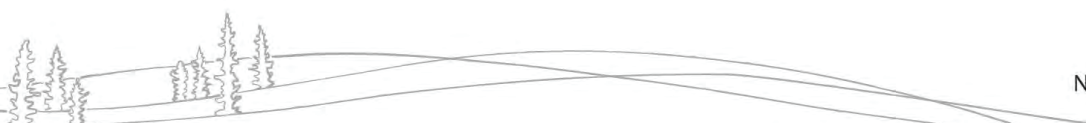
An advisory body will assist the Minister in selecting persons to be appointed. The advisory body must comprise **1) an Indigenous representative, 2) an industry representative and 3) Minister's delegate.**

In addition to making recommendations on selecting persons from the expressions of interest to be appointed, the advisory body may make recommendations of credentials that are included in the call for expressions of interest as assets to candidates who fulfill the MRA criteria on areas of required expertise.



# Greater Clarification on the Areas of Expertise Listed in MRA

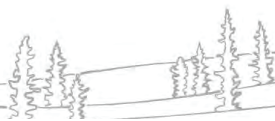
For greater certainty, relevant Indigenous traditional knowledge is considered in any of the listed areas of expertise.



## MRRB Making Rules of Procedure

The MRRB is required to create their own rules of procedure.

The rules of procedure must include rules on conflict of interest.



## Request for Review Content

Requests for review under s.64(1) are to be submitted to the Mineral Rights Review Board.

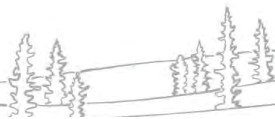
The request must specify:

- The name and contact information of the requester;
- The decision, act or omission that is the subject of the requested review;
- The date on which the decision, act or omission took place; and
- The remedy requested



## Limitation Period for Requesting Review

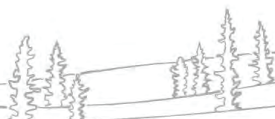
45 days from the decision made or action taken or omitted to be taken under the MRA or its regulations.



## Ability to Forgive Missing Limitation for Filing Request for Review

If a request for review is filed after the limitation period, the chairperson may accept all or part of the request if:

- (a) it is in the public interest to accept the complaint, and
- (b) no substantial prejudice will result to any person because of the delay.





## Allowing Timelines to be Flexible to Settlement or Mediation Attempts

Additionally, the chairperson may accept all or part of the review if there was a delay to pursue settlement or mediation, or the Panel can pause the procedural timelines to allow for settlement negotiations or mediation.

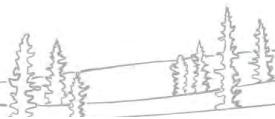


## Screening of Requests Timelines

The chairperson shall screen submitted requests for whether the matter is properly before the MRRB for review. The chairperson shall do the screening in 3 business days not including the date the request was submitted.

If the matter is properly before the MRRB for review, the chairperson shall proceed under s. 65.

If not, the request shall not be accepted for review.



## Close Ground for Time Period Pending Resolution of Dispute for All Disputes Regarding Loss of an Interest in Minerals

*Mining Regulations* already close the ground during certain situations of tenure loss, but not all disputes, leaving risk that the ground could be re-staked pending the outcome of a review.

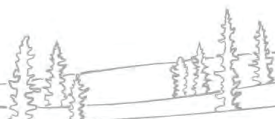
If the dispute resolves in the tenure holder's favour, even greater conflict could arise between the tenure holder and the new alleged claimholder. The regulations under the MRA should prevent this outcome.



## Assigning Members to Panel

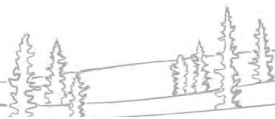
As above, after the 3-day screening period, the Chair must assign a panel to a dispute. The Chair must endeavour to select members with the expertise related to the issue under review when assigning members to a panel, where practicable.

The Chair must assign the panel in a timely manner.



## Panel Alternates

Expressly allow up to two panel members to be assigned to a panel as alternates in case an MRRB member assigned to the panel becomes indisposed.

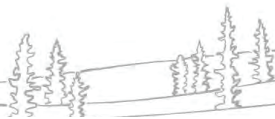


## Parties

The parties to the hearing are

- a) the requestor;
- b) the decision maker under the MRA who made the decision, act or omission;
- c) an Indigenous government or organization where applicable to the issue under review;
- d) a person with a competing overlapping interest in minerals where the review pertains to whether the holder or this person should be the holder of the overlapping interest in minerals;
- e) any other person that the panel deems necessary to comprise a party.

Where other persons with rights or interests that could be affected will get notices of the hearing and determination, these persons should have standing to be parties.



## Hearings

Where a panel of the MRRB holds a hearing, the hearing may be a written hearing, but where the panel holds an oral hearing, they may hold it by videoconference, teleconference or other electronic means.

If the panel determines that it can determine an issue fully and fairly without a hearing, and there are no persons with a right or interest that could be affected other than the parties, then it may make the determination without a hearing but must provide each party with an opportunity to make written submissions.



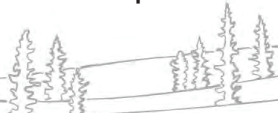
## Notice of Hearing

Where a hearing is held, the panel shall give notice of a hearing to the parties and any person whose rights or interest may be affected directly by its determination.

The notice of hearing shall be given not less than 14 days before the hearing.

Where the hearing is an oral hearing, the notice must state the hearings time, date and place as well as the nature of the request for review.

Where the hearing is a written hearing, the notice must set out the applicable procedures for submitting documentation to the panel and timelines for those procedures (e.g. deadlines for submitting submissions and evidence), as well as the nature of the request for review.



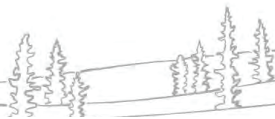


## Remedies

The panel is entitled to make the remedial order to give effect to the determination.

The determination is to be made within 30 days of the hearing, or 60 days of the request where there is no hearing.

A copy of the order/determination must be provided by the panel to the parties and all persons with rights or interest that could be directly affected by the issue.



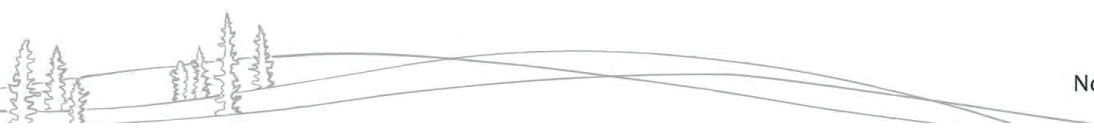
## Reasons and Confidentiality of Reasons

The MRRB shall issue reasons for the determination in writing and provide those reasons to all parties to the review.

The MRRB must make rules of procedure regarding written reasons, including information that must be kept confidential, and publication of reasons.

For greater certainty, the recording of the determination in the public registry does not include the reasons for that determination.

The reasons, while ideally made available to the public, may include information sensitive to Indigenous or commercial interests.



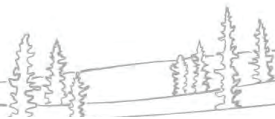
## Mandatory Meetings and Training

The members of the MRRB must meet at least once a year and may meet more frequently where the MRRB deems it necessary.

The members of the Board should meet at least once a year to conduct business (e.g. make and approve rules of procedure) and ensure cohesiveness. They should review the hearings that took place, and any issues that arose.

Furthermore, they must conduct training like cultural awareness and intercultural competency training.

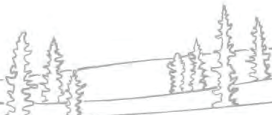
In the earlier years, they may well need to meet more often to do orientation as a board, make rules of procedure, and sort out start-up issues. They should also have the budget for training.



## Annual Report

The annual report may include other items, but at minimum, shall include:

1. the composition of the Review Board, including any professional designation of its members
2. the terms of their appointments;
3. each member's remuneration and expenses;
4. the number of requests for review that were received;
5. a summary of the results of each application for review that was received

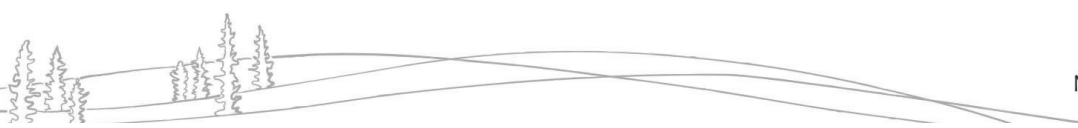




# Chamber of Mines Engagement

## Mineral Resources Act Regulations

September 28, 2022

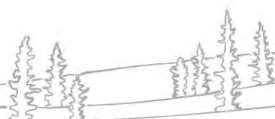


Government of  
Northwest Territories

# Benefit Regulations Update

Three topics:

- Benefit Agreements
- Benefit Agreement Dispute Resolution
- NWT Resident Benefit Regulations (SEAs)



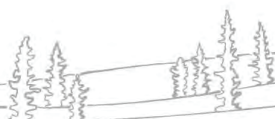
# Benefit Agreement Regulations



# Mineral Resources Act – Benefit Agreements

## Section 53:

“The holder of a mineral lease shall enter into an agreement for benefits in accordance with the regulation with each Indigenous government or organization that the Minister considers appropriate in the circumstances”





# Key Elements

- GNWT will not be a party to Benefit Agreements
- Benefit Agreements will cover benefits and are not intended to address impacts
- Designed to support benefit maximization and retention in the NWT
- Conclusion of a benefit agreement is linked to the issuance of a production licence
- Maintain a positive status quo
- Material Change



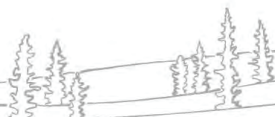
# Areas of Interest

- Proof & Waiver of Benefit Agreements
- Threshold to Negotiate Benefit Agreements
  - 250 person-years of labour
  - \$75 million (2021\$)
- Benefits
- Material Change
  - The Act requires that benefit agreements be renegotiated when a material change is declared under the Act. ITI will be responsible to determine if a material change has occurred and to declare it.
- Indigenous Governments and Organizations
  - Identify the appropriate IGOs
  - Notify the IGOs
  - Publicly identified on a registry



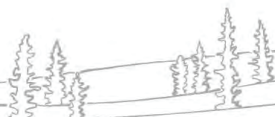
# Benefit Agreement Dispute Resolution

- Regulations (13 recommendations)
- Policy (3 recommendations)
- Administration (3 recommendations)



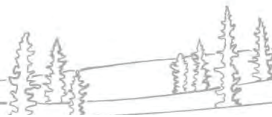
# Regulations

- Board Establishment
- Appointment of Members
- Qualification, Terms and Quorum
- Powers of the Board
- Powers of the Chairperson
- Triggering Mechanism
- Screening Requirements
- Jurisdiction
- Panel Selection
- Hearing Procedures
- Reasons for Decision
- Remedial Powers
- Appeals

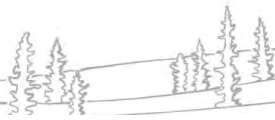


# Policy & Administration

- Training and Orientation
- Rules, Forms, and Material
- Database of Agreements
- Policy – Fair and Proportional
- Budget and Finances
- Scheduled Meetings
- Annual Reporting



# NWT Resident Benefits



# Mineral Resources Act – NWT Resident Benefits

## Section 52:

“The Commissioner on the recommendation of the Minister may prescribe requirements in respect of measures that provide benefits to the people of the Northwest Territories.”



# Key Elements

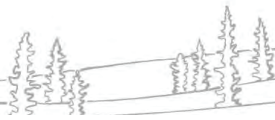
- Regulate a list of general commitment areas that must be included in SEA negotiations.
- Monitoring and Reporting
- Material Change





# Areas of Interest

- Negotiation Guidelines
- Adaptive Management
  - Enforcement framework that helps ensure SEA commitments are met.
  - Advisory body will monitor the performance of commitments.
- Threshold to Negotiate an SEA
  - 250 person-years of labour
  - \$75 million (2021\$)
- Summary Offences
- Material Change
- SEA Prioritization
  - Region
  - Connecting factors (Roads, proximity to mine, etc.)



# Thank you

For more information, please contact:

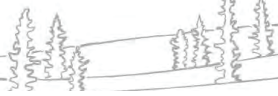
Mark Bell  
Manager, Socio-Economic  
Email: [Mark\\_Bell@gov.nt.ca](mailto:Mark_Bell@gov.nt.ca)



## Online Map Staking (OMS)

### Key messages:

- OMS continues to be a priority for ITI.
- To implement OMS, ITI must complete Policy and Regulations for Staking, Temporary Restricted Areas (TRA) and Zones, as these will be rolled out together.
- MRA Regulations public posting aimed for within this assembly.
- TRA, Zones and OMS are necessary tools that are in research, but will take more time to develop the policy approach and regulations to implement.
- GNWT's acquired Trimble's Landfolio solution includes OMS component licence.
- MAARS project budget has provision for OMS implementation.

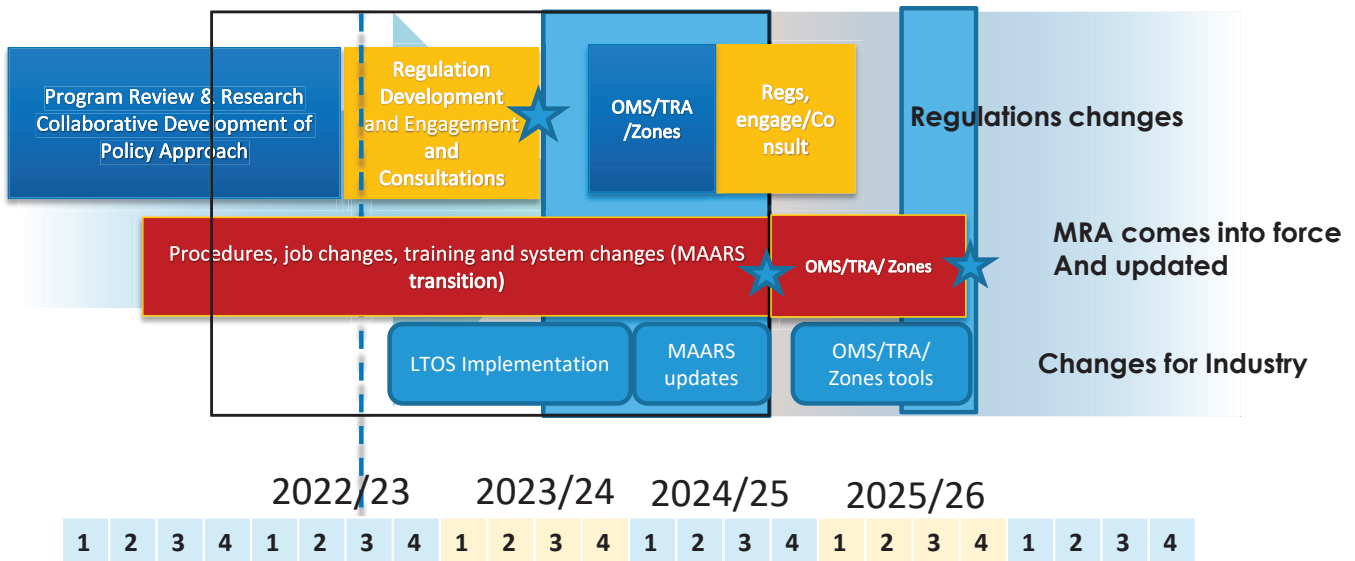


# Earliest Potential Transition to OMS

Planning & Regulation Development

Training and Implementation

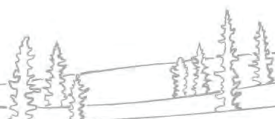
MRA Benefits start to be apparent



Where we are at

## Online Map Staking (OMS) – Work in Progress

- Staking scenario research conducted in 2021.
- OMS technology licences acquired.
- Geo-referencing the legacy tenure shape files (10,909 legacy mineral claims) in Mineral Tenure Map Viewer for public access was completed in Q2 2023/24.

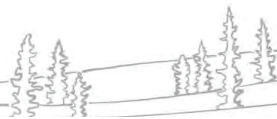




# Mineral Resources Act

## Chamber of Mines – Tenure Walk Through

November 28, 2022



Government of  
Northwest Territories

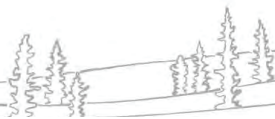
# Prospectors Licence

- Move from an annual licence with fixed end date to 5-year licence with a fixed duration.
- Renewal every 5 years
- Proposed Licence Classifications
  - Individual
  - Corporation
  - Individual (resident)
- Agent may not be assigned until after licence is issued
- Create a new Prospectors Awareness Course as a core eligibility requirement



# Prospectors Awareness Course

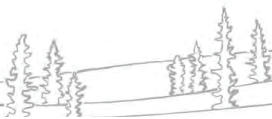
- The Prospector's Awareness Course will be offered as an online course, available to the public, with flexibility that allows for completion in the Mining Recorder's Office, as well as the option for a mailed copy
- The PAC must be taken prior to the first issuance and each subsequent renewal of the Prospector's Licence (5 years)
- All individuals and companies must complete the PAC





# Prospectors Awareness Course

- At least two of the following members of a company must complete the PAC before the company is eligible for a Prospector's Licence:
  - An individual with ownership in the company
  - Senior official of a company (CEO, president, VP, director, officer, etc.)
  - The person(s) in charge of conducting the activities in the NWT
  - A professional geoscientist/engineer as defined under the *Engineering and Geosciences Professions Act*
- An agent may not be assigned to act on behalf of a company until the company has a valid Prospector's Licence
- Agents are encouraged, but not required, to take the PAC



# Ground Staking - Prohibitions

Section 21 of the Mineral Resources Act provides a list of lands where prospecting or staking a claim is prohibited. This list includes:

- lands that are withdrawn from disposal under the authority of an Act of the Northwest Territories or an Act of Canada, unless the instrument that withdraws the lands from disposal does not apply to interests in minerals
- a protected area established under the authority of an Act
- lands used as a cemetery;
- with respect to prospecting and staking,
  - any area within a zone established under section 25 for which exclusive rights to prospect and stake have been issued to another person
  - lands covered by a recorded claim or a mineral lease, except by the holder of the recorded claim or the mineral lease,
  - lands for which the underlying interest in minerals has been granted or transferred by the Crown or the Commissioner;
  - lands subject to a prohibition on prospecting, staking a claim or the issuance of an interest in minerals under a land use plan that has been approved under an Act of the Northwest Territories or an Act of Canada or under a land, resources and self-government agreement;
  - lands that have been designated by the Minister as restricted under section 23, except for those interests described as unaffected by a designation in subsection 23(16);
  - any other prescribed lands.



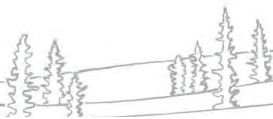
# Ground Staking – Requirements

- Ground staking has been the method in which prospectors (individuals and corporations) have been required to strictly adhere to in order to stake a mineral claim from as early as, if not before, 1892. The NWT *Mining Regulations* (the Regulations) currently require prospectors (individuals and corporations) to :
  - Delineate the area of the claim through the use of:
    - position legal posts,
    - boundary posts
    - witness posts (in certain scenarios)
  - They must also etch dates, times, numbers, and names onto metal claim tags and affix the tags on each of the four legal corner posts as part of this ground staking process.
- Current regulations allow for a prospector to stake on behalf of the claim holder without a prospector's licence.



# Ground Staking – Transition

- The current ground staking regulations allowed for scalability and had very few issues arise related to the claim staking process
- For this reason, there are no substantive changes requested to the ground staking regulations as they are transitional and should remain status quo during the transition phase.
- Regulations will be mirrored with slight technical modifications to ease transition to OMS
  - Collection of GPS coordinates for the legal posts



# Application to Record - Transition

NAR timelines will set the triggers for when a claim can be recorded:

- Flexible to proponents and creates an incentive to submit applications early
- Ensures that the NAR dialogue process is prioritized in the Application to Record process

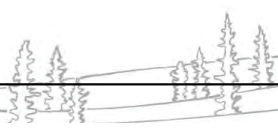
Proposed Modifications – **60 days** to submit application to MRO

- Scalability – different sizes of claim blocks
- Remote nature of field work accounted for in process
- Weather
- Proponent has administrative tasks to complete after staking and prior to submission



# Timelines

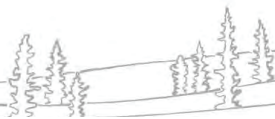
Timeline	Current	Proposed (subject to change)
Claim staking to submission of the application to record	60 days after staking was completed	60 days
Receipt of application to record to NAR being sent	N/A  (Not including Phase 1 or Phase 2 NAR)	Automatic notification*  Up to 5 days for written letter
NAR received / Timing for dialogue /Proponent to withdraw	N/A	30 days from date NAR is sent
MRO to record claim	Claim can be approved on 61 <sup>st</sup> day +	1 day after dialogue period closes (31 <sup>st</sup> day after NAR is sent)



# Claim Life

Duration of claim life has been extended to a maximum duration of 30 years

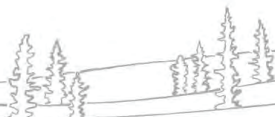
- Lengthened to allow for new lease issuance requirements
- Ability to apply for lease once Evidence of Deposit Technical Report requirements have been met
- Lease Issuance criteria still being developed for small scale miners. Potential that an artisanal or small scale miner could be issued a mineral lease and production licence concurrently.



# Mineral Claim - Maintenance

The claim holder must on or before the **Date of Requirements** submit to the Mining Recorder:

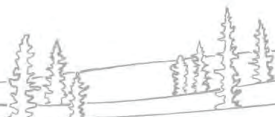
- (a) a report of the work that has been done in respect of the claim;
- (b) an allocation of excess credit;
- (c) a deposit in lieu of work; or
- (d) an application for a short-term extension to submit a work report.





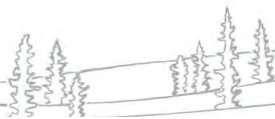
# Work System – Modernization

- *Increase Work Requirements*
- *Change Work Structure from flat to escalating*
- *Increase Claim Life*



# Indigenous Engagement Credits

- Adding Indigenous engagement helps represent the true costs of exploration and encourages positive relationships with Indigenous governments.
- The regulations can be used to detail what Indigenous Engagement Credits (IECs) are, how they must be documented and how they can be managed to maintain mineral tenure.
- Proponents will be allowed to claim IECs for 20% of the allowable work credits.
- Policy will outline allowable activities for work.
- Most jurisdictions rely heavily on policy to include IECs in work.



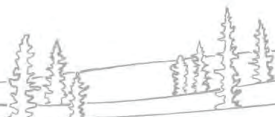
# Structure for Work Reporting:

## Work Credits and Allocation

- Value range for IEC credits can balance incentivising engagement and the collection of geological knowledge.
- Limit for the entire life of a mineral claim ensures that advanced exploration companies will be able to claim credit

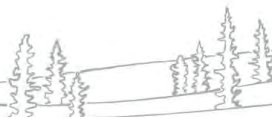
## Work Reporting

- Receipt / Cost Basis
  - Credit based on the costs of engagement.
  - Reporting on Indigenous engagement activities should be filed with the exploration work to which the engagement relates to.
- IG Engagement Approval Basis
  - Proponents submit letters from the relevant IGs that state that meaningful engagement has occurred.
  - Confirm that the Indigenous Government would advocate for the proponent to receive the full value of Indigenous engagement credits.



# Allowable Activities Updates

- IECs would only be for spending in the NWT (not outside of NWT).
- IECs should be limited to Indigenous Government's costs for engagement to qualify.
  - Staff costs, (that could be invoiced to a company)
  - Costs occurred for IGs to complete traditional knowledge studies.
- The structure of the list would compensate activities focused on early and meaningful engagement.



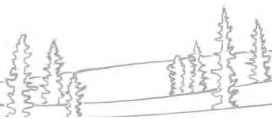
# Work Assessment Requirements

Year	\$/ha - requirement	Total Annual Cost – Full Size Claim
2	\$10	\$12,500
3 – 4	\$5	\$6,250
5 – 9	\$10	\$12,500
10 - 14	\$20	\$25,000
15 - 19	\$25	\$31,250
20 - 24	\$30	\$37,500
25 - 29	\$35	\$43,750

2020-2021  
2021-2022  
2022-2023  
2023-2024  
2024-2025  
2025-2026  
2026-2027  
2027-2028  
2028-2029  
2029-2030

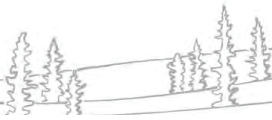
# Notice of Intended Work

- The requirement of a Notice of Intended Work (NOIW) is intended as an information-sharing tool to promote early engagement with Indigenous governments and organizations (IGOs) by proponents. It will provide information such as timing, location, and basic details of the planned exploration work.
- NOIW will be shared with IGOs and other government departments, allowing proponents to conduct work with discretion. NOIW is intended to keep IGOs informed while limiting the administrative burden on industry.



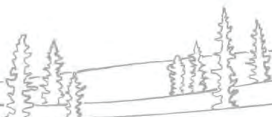
# Notice of Intended Work

- Prior to conducting exploration activities, the claimholder must provide notice in advance of the planned activity, including the geographical area subject to disturbance, the method of accessing the geographical area, the start date, end date, and number of days of work associated with the work, and the number of personnel present in the geographical area to conduct the work.
- Where the tenure holder has provided notice relating to a geographical area, the tenure holder may amend the notice before the proposed activity begins.
- All notices provided under this provision will be posted by the MRO on the public registry along with the contact information for the proponent after the defined confidentiality period.
- Failure to provide proper disclosure would result in a fine or other penalty.
- The Minister has the power to waive the timelines of the notice.
- Enforcement of any fine or penalty would be at the authority and discretion of the inspector or enforcement officer.



# Form of Report

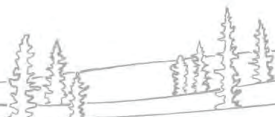
- In order for the work requirements to be approved and allocated for claim maintenance purposes, the proponent must file a “work assessment report”
- Work Reports must be signed off by a Professional Geoscientist or Engineer as defined in Engineering and Geoscience Professionals Act to be accepted by the Mining Recorder except in the case of a Simplified Report
- Report contents and structure will be regulated through a technical schedule.





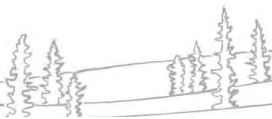
# Simplified Reporting

- Prospectors are not always registered as a professional geologist and may have difficulties meeting the required reporting obligations under the work assessment regulations.
- The use of a simplified reporting process in the NWT has allowed for a tenure system that supports the participation of prospectors, while also ensuring that the quality of information submitted remains high.
- Simplified reporting regulations finds the balance between reporting geoscience data, quality of the information, and making the tenure system accessible to all levels of industry.



# Simplified Reporting

- Only individual prospectors will be eligible to submit a simplified report.
- Simplified reporting requirements will allow for paper copies submission but will require that all reports submitted be consistent with the Schedule of reporting requirements
- Electronically submitted reports will be in the form of simplified data standards identified in the policy.
- The upper monetary limit for simplified reporting values to the escalating minimum work requirements for a two-year period as calculated throughout the life of the claim.

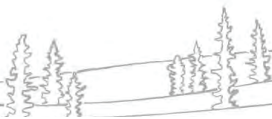


# Data Standards

To maximize the data collected under work reports, the regulations will introduce a “Data Standard” for the geological data collected.

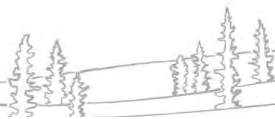
- Optimize/maximize extraction of geoscientific data and processing of digital files to be more manageable
- Streamline work assessment report submission for proponents
- Specify file format requirements will enhance management and/or performance of (relational) database ensuring data ‘legacy’ for future use
- Optimize information transfer including sharing of information with stakeholders in file formats widely used in the industry
- Minimize geoscience data loss

The MRA will adopt PDAC’s **Exploration Assessment Digital Data Formats (EADDF)** with Modifications.



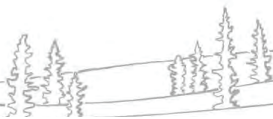
# Grouping Proposal

- Grouping to be set at a maximum of five (5) full-size claims
- All other aspects of groupings to remain the same including:
  - Timing
  - Ability to group and regroup
  - Relationship of claims within a group
- A grouping certificate ceases to have effect on the earliest of:
  - The day on which any mineral claim in the group is cancelled, including due to being replaced by a mineral lease, or due to a reduced area, amalgamation or subdivision process;
  - the day on which a new grouping certificate in respect of any mineral claim in the group takes effect.
- Allocation regulations will allow a proponent to allocate work credits forward a maximum of 10 years



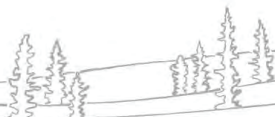
# Deposit In Lieu - Proposal

- A mineral claim holder may make a payment (DIL deposit) in place of the assessment work required for a mineral claim, subject to the following limitations:
  - A deposit made in any given year in place of the required assessment work shall not exceed the amount of money required to meet the assessment work for that year as determined under the table in Claim Work Requirements.
  - A deposit shall not be made in place of assessment work more than a total of 9 times throughout the claim life, with no more than 3 deposits per trimester of claim life.
- **(i.e.: up to 3 DIL deposits in years 0 - 9, up to 3 DIL deposits in years 10 - 19, up to 3 DIL deposits in years 20 - 29)**



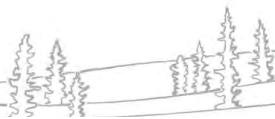
# Deposit In Lieu - Proposal

- A deposit in place of assessment work for a mineral claim shall be made to the Mining Recorder on or before the date of requirements of the mineral claim in the amount of the outstanding work.
  - The amount of the deposit may be reduced if there is existing work credit that can be applied to the work requirements.
- The DIL deposit is refundable but is limited to 10 years from the date of receipt provided an assessment report has been approved for the full or partial amount of the deposit.
- If an assessment report has been approved for less than the amount of the deposit, a partial refund of the deposit may be processed, limited to 10 years from the date of receipt of the deposit.



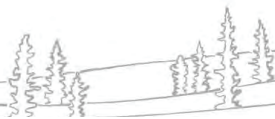
# Short Term Extension

- On or before the date of requirements, a claimholder or authorized agent may apply for a Short-Term Extension (STE) for a period of 90 days following the date of requirements to allow for the submission of a work report.
- No limits on the use of STE
- Failure to submit an assessment report before the end of the 90-day STE will result in the cancellation of the mineral claim(s). The cancellation of the mineral claim(s) will occur on the first day after the 90-day STE period ends and the ground will re-open according to the general claim cancellation re-opening regulations.



# Transfer

- Transfers are an alternate entry point into the tenure system.
- Transfers are potentially the starting point for a new relationship between proponents and Indigenous governments.
- The need for a Notification of Transfer was not recognized during the *MRA* development process. However, as regulations were being developed, it was determined that there is a need to create a notification to ensure Indigenous governments and organizations are informed when a new proponent acquires a mineral interest in their traditional territory.

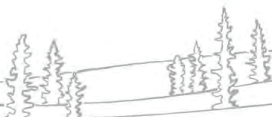




# Transfer Requirements

Transfer Requirements for potential inclusion:

- All fees and rents must be paid on claims and leases and in the case of production licences, no royalties or other payments should be owed to the GNWT.
- Claims and leases must be in good standing and up to date with all reporting requirements.
- There should not be any pending applications (with defined exceptions within regulations)
- Separate/specific requirements for the transfer of mineral holdings in the case of death and bankruptcy
- Transfers should state what liabilities or obligations transfer with the mineral holdings, such as prior liens or encumbrances as registered at the time of transfer (current regulations already provide for this in the NWT).



# Sequencing

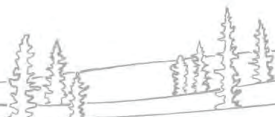
- Transfer of Mineral Interest will be triggered by an application from current mineral interest holder
- Transfer must be confirmed by new proponent (must have an active Prospectors Licence and active in tenure administration system)
- Notification of Transfer will be issued only once confirmation is received from both parties
- The notification and transfer would happen in parallel and would not include a notification period, as mineral tenure is active and in good standing



# Form of Notification

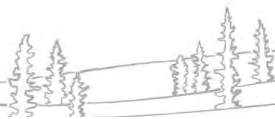
Information to be included:

- a) the mineral claim/lease/production licence name(s);
- b) the mineral interest identification number(s);
- c) the National Topographic System 1:50,000 map sheet number(s) for the location;
- d) a digital link to the Government of the Northwest Territories Mineral Tenure Map Viewer that shows mineral tenure information; and,
- e) the map coordinates of the location, which will correspond to those used by the Mineral Tenure Map Viewer.



# Suspension and Cancellation

- Given the complexity and range of cancellation triggers, the public, industry and administrators have been challenged to determine cancellation mechanisms and corresponding ground opening dates.
- The current state has a variety of ground opening dates that is determined by type of cancellation and type of mineral holding.
- The new system simplifies the cancellation and ground opening system to enable clear and transparent mineral resources administration with ground reopening for staking on the 31<sup>st</sup> day after cancellation
- The ground over which a Claim or Lease is cancelled is available for claiming (or “restaking”). Where a Prospecting Permit, Claim, or Lease has been cancelled, that Tenure holder is disqualified from applying for a Prospecting Permit, Claim, or Lease for the same area for one year from the date of cancellation.



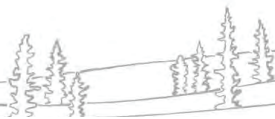
# Survey Requirements

To ensure we have the appropriate spatial accuracy, the lease issuance process must have the following requirements developed in the regulations to be in place before lease issuance.

- Plan of survey of the claim (s) prepared under the Canada Lands Survey Act

Due to the potentially sensitive nature of the areal changes and the potential impact on the holder of the adjacent claim. All lease applications should be supported by:

- Report of overlap with a boundary of any other claim
- Evidence that a copy of the plan of survey, the report and a notice in the prescribed form by registered mail or courier
- Plan of survey, the report, the notice and evidence holders of adjacent claims have received copies of the plan of survey

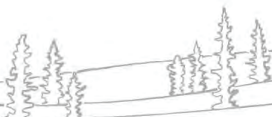


# Excess Area and Calculations

For administrative fairness and simplicity: We propose to base the calculation on the minimum work requirements of (\$70/ha) and focus on the excess area to differentiate the total amount due. This would change the calculation to be amount to be paid will be calculated through the formula:

$$A * \$70$$

A is the excess area identified in the completed survey.



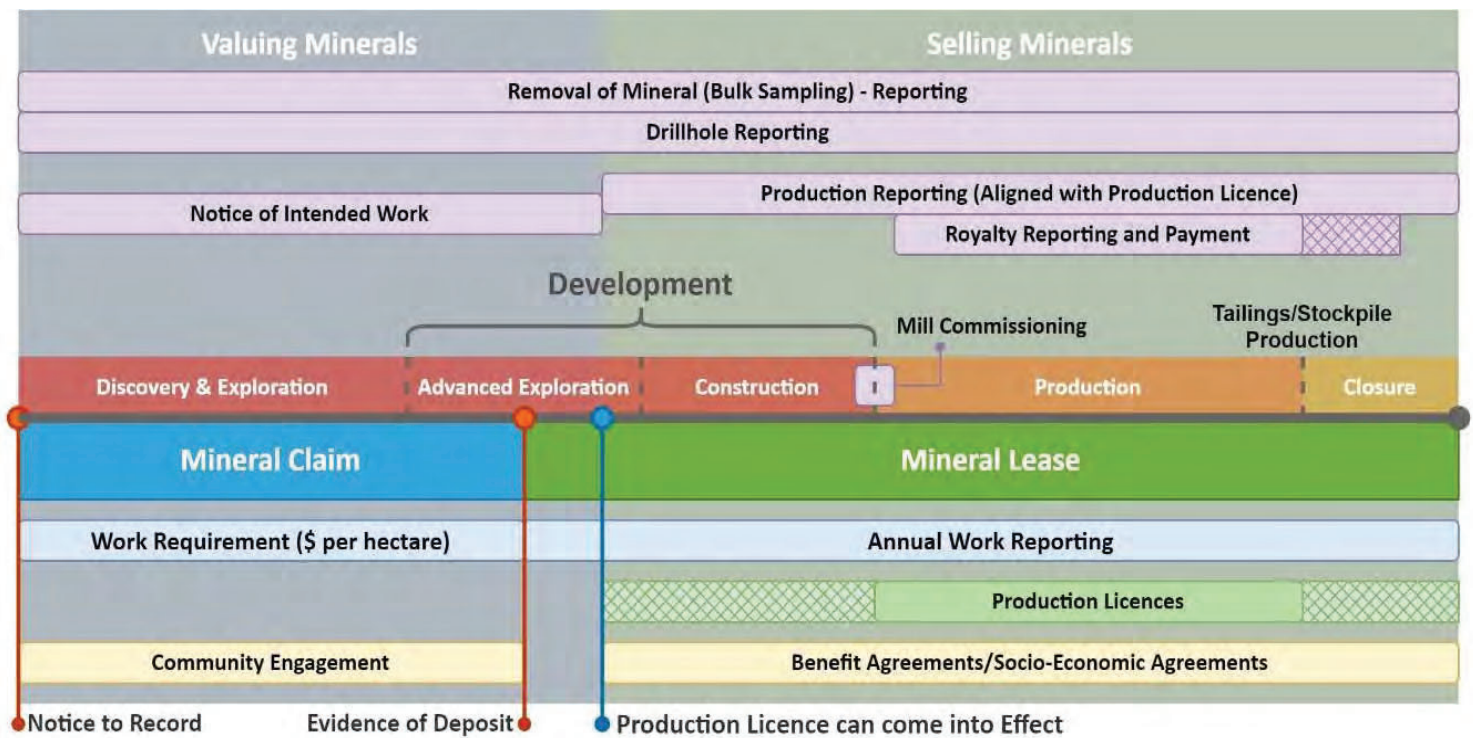
# Excess Area and Calculations

The calculation for contiguous recorded claims that are shown in the plan of survey of their perimeter would require the calculation to be modified as well

$$(A/B)* 70$$

- A - total excess area of all claims
- B - is the number of claims in the survey
- C - is \$70

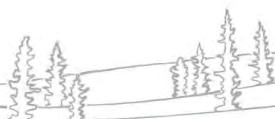






## Function of Evidence of Deposit Technical Report

- Assess whether a project is eligible to be issued a mineral lease through the submission of a technical report PFS, Simplified Report or equivalent
- Determine area (which mineral claims) are eligible for lease issuance
- Create trigger for the commencement of QIGO test
- The outputs of the application packet and analysis of EDTR will feed into the preliminary work that must be completed for SEA negotiations through the determination of capital expenditures and PY submitted in the data packet



# EDTR System

Will have two pathways to EDTR certification

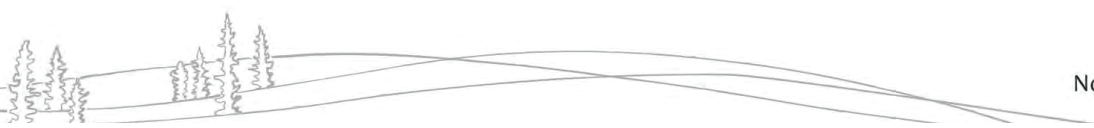
- Simplified EDTR
- EDTR



# EDTR Requirements

Evidence of Deposit Technical Report will have 4 elements

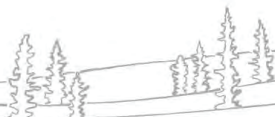
- Application (approved form)
- Prefeasibility Report or Feasibility Report
  - NI 43 - 101 standards for disclosure
- Technical Summary Reports of Employment Data
- Summary of capital and operational expenditures for the life of mine



# Definition of Small Scale Mine

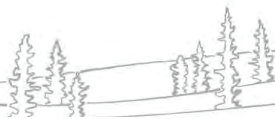
A *Small Scale Mine* is a mining project that does not pass the threshold of a *Major Mining Project* and as a such will not be subject to *benefit agreements*. A Small Scale Mine will still require a *Production Licence* to operate

A small scale mine will be defined as a mining project that is projected to have less than \$50M CapEx cumulative (2021 constant \$) **and** less than 100 PY.



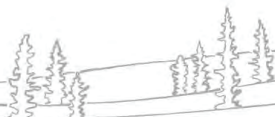
# Simplified EDTR

- Small Scale Mines will be exempt from filing an Evidence of Deposit Technical Report and instead will be required to file a Simplified Evidence of Deposit Technical Report for certification prior to application to convert a claim to a lease.
- Small Scale Mines will be eligible to submit a simplified Evidence of Deposit Technical Report.
- The Simplified Evidence of Deposit Technical Report will be submitted signed by a registered professional geoscientist/engineer.



# Simplified EDTR

- Application in approved form
- A description of the small scale mine
- A description of the project
- A plan for the extraction of mineral(s) including method(s)
- Employment resources plan for the duration of the mine
- A summary of operational and capital expenditures
- An estimate of the mineral value to be mined



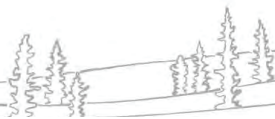
# Lease Issuance

- The lease issuance process has been modernized to better meet the Mineral Resources Act (MRA) principles.
- The issuance of a lease is one of the most significant milestones in our new tenure system.
- The proponent has proven that the project associated with the underlying mineral claims has demonstrated potential economic viability.
- The lease issuance process is anticipated to be the jumping-off point for the negotiation of both benefit and socio-economic agreements.



# Lease Issuance – Information Share

- The Evidence of Deposit Technical Report (EDTR) certification process will indicate that the proponent intends to take the mineral claim(s) to a lease within 24 months.
- The EDTR and Notice of Lease Application process should be viewed as a two-step process for information-sharing as a project advances through the Mining Cycle toward lease issuance.
- To facilitate timely information sharing, the process from EDTR through Lease Issuance will be structured and sequenced to allow Indigenous Governments adequate time to evaluate the project information and identify concerns.





# Notification of Lease– Information Flow

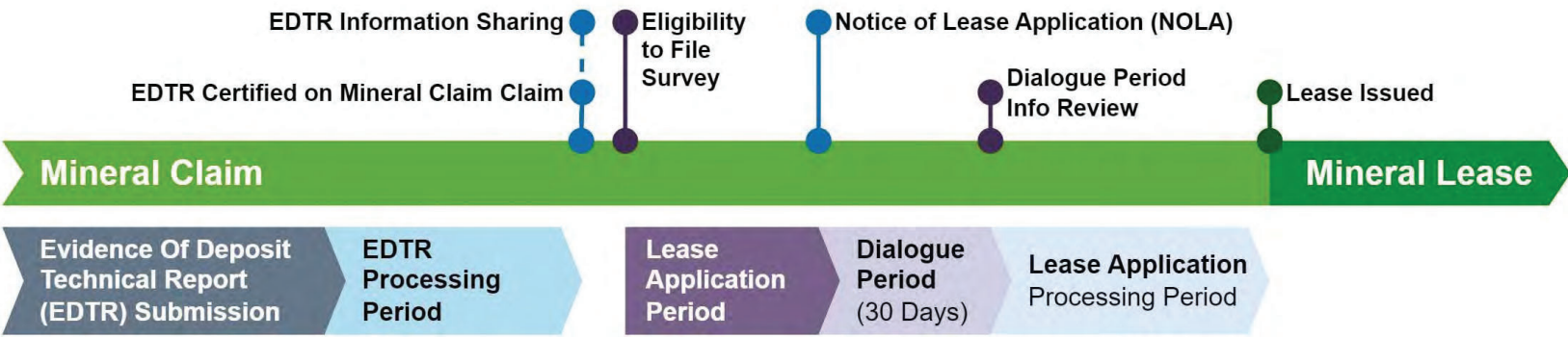
EDTR process will provide Indigenous Governments information for the Mining Project that includes:

- The scale and size of the Mining Project (Employment, CapEx, OpEx)
- Location and Area of Mineral Claims eligible for conversion
- Preliminary Timing and Mine Life duration
- Volume, Tonnage and description of the deposit
- Net Present Value ( where it is already public or where proponent authorizes disclosure)

NOLA will provide Indigenous Governments information that the lease application has begun with information that includes:

- Name of Lease Holder (s)
- Project Name
- A list of mining claims included within the lease application and corresponding lease numbers if available
- Map of location of proposed leases through Mineral Tenure Viewer
- Date of Application
- Earliest Date of Issuance

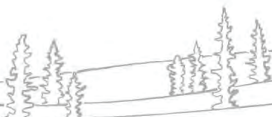
# System Overview



# Lease Issuance – Requirements

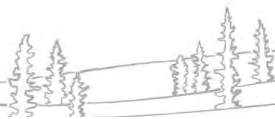
In order to be eligible for a lease a proponent must have

- A valid Prospector's Licence is an eligibility requirement.
- An Evidence of Deposit Technical Report on the subject claims is an eligibility requirement.
- The lease applies to the entire area of the corresponding claim
- A valid legal survey recorded prior to the lease application
- All claims must be in good standing, with no requirements outstanding.
- Provision of the legal survey to all adjacent claim holders is a technical requirement.



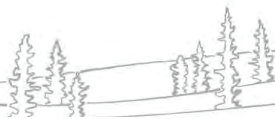
# Notification of Lease Issuance

Once a lease is issued. A notification will be issued to Indigenous Governments that will identify that the lease issuance process has been completed and will provide a listing of the newly issued leases.



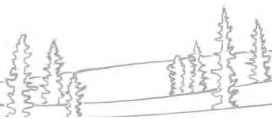
# Lease Duration

- Leases and Renewals regardless of term will be for 21 years



# Lease Rent

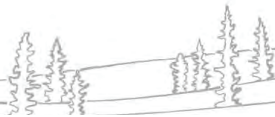
- The lease rental structure will consist of a single value and not see an increase in the mineral lease rental rate on renewal.
- Increase lease rental fees to \$10/ha to bring NWT rental rates in line with the Canadian median and align with Nunavut for all leases regardless of the term



# Lease Exploration Expenditures

Lease work needs an approach to work that is different than we see in claims

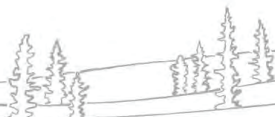
- Periodic Reporting of all exploration expenditures for a period of time
- Fills reporting gap should there be a delay in obtaining a production licence and provides clarity on total exploration within the NWT



# Tenure Management Tools

Regulations and technical processes for:

- Reduction of claims and leases
- Subdivision and Amalgamation of leases for implementation under ground staking regulations





# Increased Tenure Management Tools

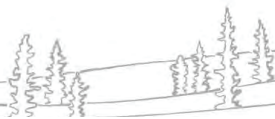
Tenure System changes necessitate an expansion of administrative tools to manage lands responsibly.

## Proposed New Tools - MRA Implementation

- Subdivision of leases
- Amalgamation of leases

## Proposed New Tools - OMS Implementation

- Subdivision of claims
- Amalgamation of claims





# Staking Disputes

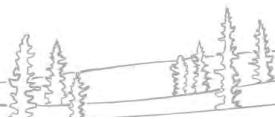
November 28<sup>th</sup>, 2022

Government of  
Northwest Territories



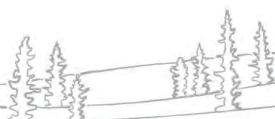
# Introduction

- Most of the structure for addressing staking disputes is already in the MRA which was largely carried over from the *Mining Regulations*
- The regulations under the MRA will
  - add transactional level detail
  - add a notice requirement to IGOs previously notified of the initial application to record



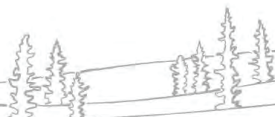
## Background

- Staking disputes arise when a person believes they staked a claim in respect of the same or overlapping lands as another person whose claim was already recorded
- Priority of competing mineral claims is given on the basis of first-in-time, first-in-right



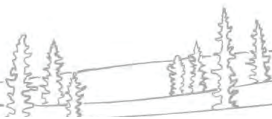
## MRA - Notice of Protest

- Under the MRA, a person wishing to dispute a recorded claim, may file a notice of protest in the approved form within one year after the disputed claim was recorded



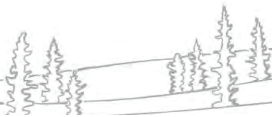
# MRA - Determination

- Staking disputes are determined by the SMR
  - Not by the Mineral Rights Review Board
  - Not by the benefit agreements dispute resolution body



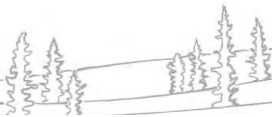
## MRA - SMR Powers

- Under the MRA, the SMR is granted the powers to
  - summon and examine witnesses
  - compel the production of documents
  - all things necessary to provide a full and proper inquiry



## MRA - Determination and Written Reasons

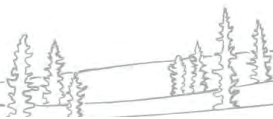
- SMR will direct that the first-in-time claim staked properly in accordance with the technical and other requirements in the regulations is recorded
- SMR must provide written reasons to the Mining Recorder and the parties





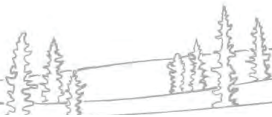
## Enabling Authorities

- 36. (1) A person who believes that he or she staked a claim in respect of the same lands or overlapping lands before another person whose claim was recorded under section 29, may dispute the recording of that claim by filing a notice of protest in the approved form within one year after the day the disputed claim was recorded.



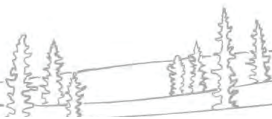
## Enabling Authorities

- (2) The Supervising Mining Recorder shall inquire into disputes made under subsection (1) in accordance with the regulations, and for the purposes of the inquiry may (a) summon and examine under oath any person whose attendance is considered necessary to the inquiry; (b) compel the production of documents by witnesses; and (c) do all things necessary to provide a full and proper inquiry.



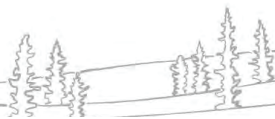
## Enabling Authorities

- (3) The recording of the area of the claim in dispute **must be accorded to the person who first staked the claim in accordance with the regulations** and the Supervising Mining Recorder shall direct that the appropriate claim be recorded.



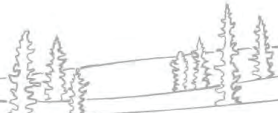
## Enabling Authorities

- (4) The Supervising Mining Recorder shall provide written reasons of the determination made following the inquiry to the Mining Recorder who recorded the claim and the parties to the dispute.



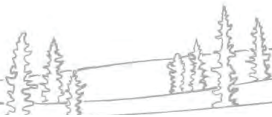
## Enabling Authorities

- 114(1) The Commissioner on the recommendation of the Minister may make regulations for carrying out the purposes and provisions of this Act, and without restricting the generality of the foregoing, may make regulations... (m) respecting the issuance, maintenance, amendment, and cancellation of interests in minerals, including work requirements and notices of intended work, including... (i) for a recorded claim... (G) resolution of disputes under section 36 with respect to the recording of claims



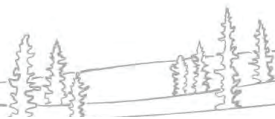
# Regulations

- If a notice of protest is filed, the SMR shall
  - send a copy of the notice of protest to the holder of the disputed claim
  - send a copy of the notice of protest to an IGO, where the area in respect of the notice of protest
    - is within or overlaps with a settlement area of that IGO; or
    - is within or overlaps with the asserted traditional territory of that IGO



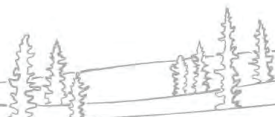
# Regulations

- inquire with IGOs whether any land access notice requirements have been satisfied under applicable resources and self-government agreements
- inquire into allegations contained in the notice of protest



# Regulations

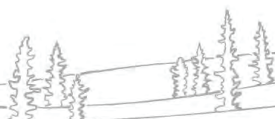
- Any IGO that submits evidence shall be considered a party for the purposes of receiving written reasons
- Note: A prescribed requirement for proof of notice for land access under applicable resources and self-government agreements will need to be added as a regulatory requirement for staking claims since the SMR's determination is limited to determining compliance with prescribed requirements. It is still up to the proponent to prove notice whether an IGO decides to participate or not.





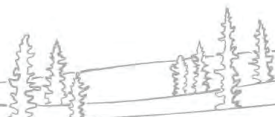
## Approved Form

- The approved form will be kept non-regulatory. This will allow for practical adjustments and changes when the online map staking (OMS) system is phased in



# Online Map Staking (OMS) System

- The regulations are for the realities of the current ground staking system
- They will need to be revisited before the OMS system is implemented
- OMS could potentially eliminate staking disputes altogether by blocking applications already staked
- However, other issues may arise with the new technology that may need to be addressed in future regulations

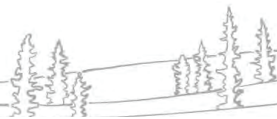




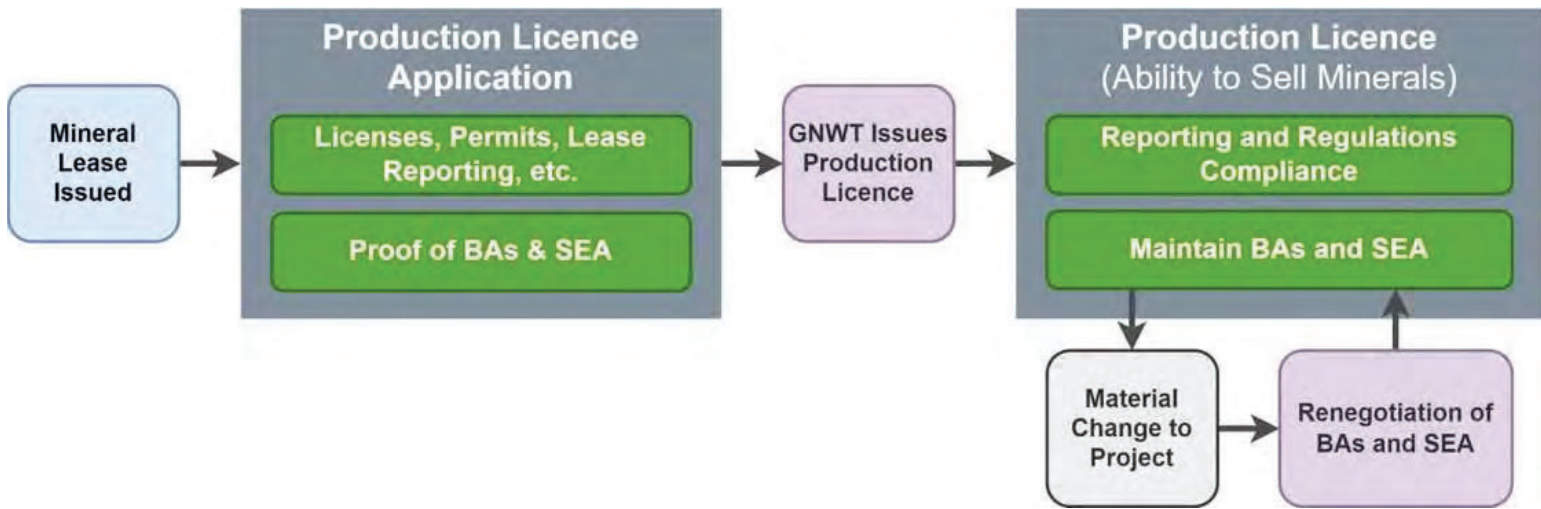
# Production Licence

Chamber of Mines – Production Licence/Statistical Returns

November 28<sup>th</sup>, 2022



Government of  
Northwest Territories

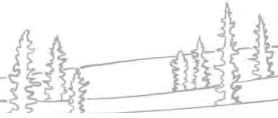




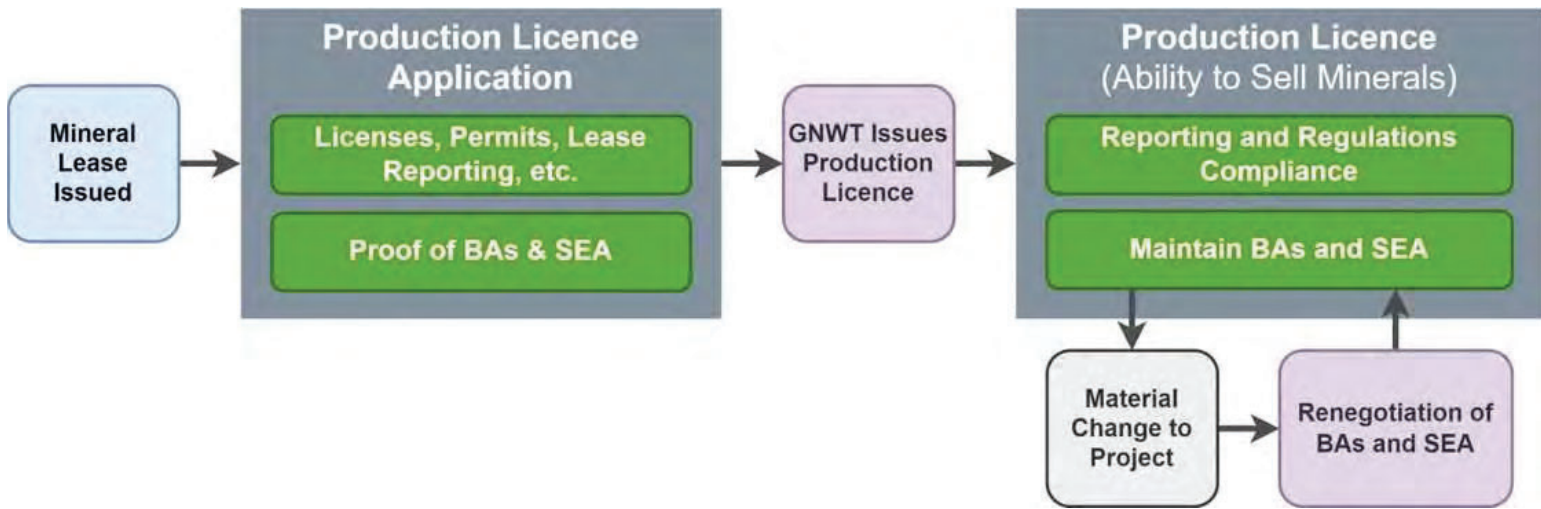
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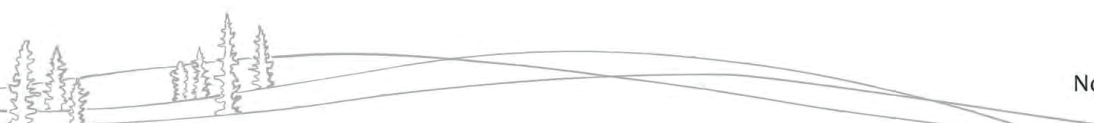
Government of  
Northwest Territories



# Definitions

Production - The extraction and refining of minerals under a production licence **and** the ability for an owner/operator to sell minerals to a third-party under subsection 47(1) of the Act.

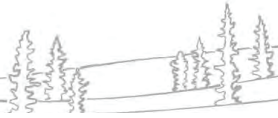
\*Can be distinct from commercial production and other royalty return triggers



# Issuance

In order to issue a production licence under subsection 47(3) of the Act, the following requirements would be in place:

- All necessary licences and permits are in good standing
- Mineral lease (s) of mine footprint
- Mineral lease (s) must be in good standing
- Declaration of fiscal year (this will tie into the reporting timelines for reporting under Statistical Returns)
- Application reporting,
  - Must include a long-range mine plan with projected totals for employment and in the procurement of goods and services in each year
  - Must include past annual cumulative employment and procurement
  - Must be verified by a qualified technical expert (engineer)
- If above benefits threshold, completed BAs with the relevant Indigenous governments
- If above benefits threshold, a completed SEA with the GNWT

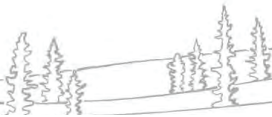




# Reporting Requirements

## Reporting related to benefits under BAs or SEAs:

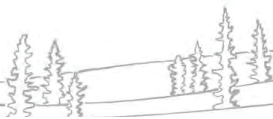
- Data must be sorted into NWT Indigenous, NWT Non-Indigenous, other for both business spend and employment.
- Projected life-of-mine employment and spending totals
- Monthly and cumulative employment, in person-years
- Monthly and cumulative spend (inclusive of operations costs and capital expenditures)
- For production licence holder with an SEA, maintain all reporting requirements under the SEA



# Reporting Requirements

## Reporting related to royalties:

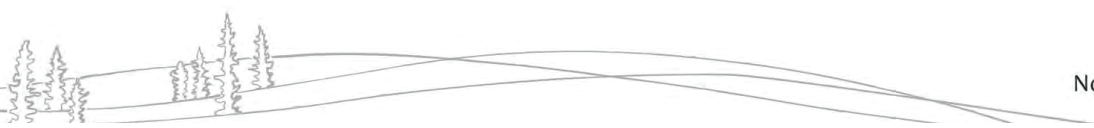
- Duplicate the reporting requirements under section 72(1) of the NWT's current *Mining Regulations*:
  - i. the name and a description of the mine;
  - ii. the names and addresses of all owners, operators and other lessees of the mine;
  - iii. the name and address of a person to whom notices may be sent;
  - iv. the weight and value of minerals or processed minerals treated at the mine, removed from the mine, sold or otherwise disposed of during the year and during each month of that year; and
  - v. the design capacity of any mill, concentrator or other processing plant at the mine.



# Maintenance

To maintain a production licence issued under subsection 47(3) of the Act, the holder of a production licence must:

- Maintain good standing on the underlying mineral lease
- All permits and approvals needed to acquire a production licence must be in good standing.
- Comply with the Act and regulations
- Meet reporting requirements under the production licence and statistical returns
- Maintain SEA-based benefit reporting and SEA priorities for employment and procurement
- Comply with royalties reporting, payments, inspections, and audits



# Duration

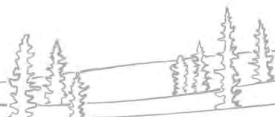
A production licence shall last for the lesser of mineral lease life or life of mine at the time of application.



# Statistical Returns

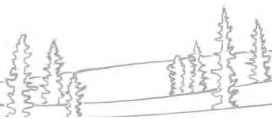
Statistical Returns will have two reporting requirements:

- a. Production Data
- b. Exploration Expenditures for the Production Licence area
  - a. Requirement for annual reporting for Statistical Returns exploration expenditures will follow the submission format for the table of expenditures under the claim work system.



# Statistical Returns

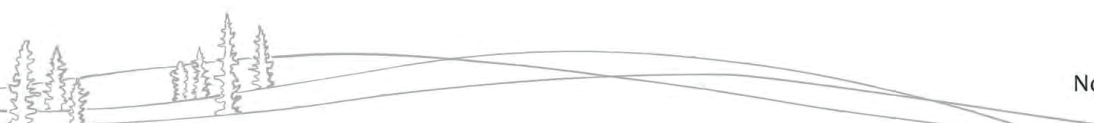
- The Production Licence will establish an annual reporting date
- The Minister may require an owner to send monthly or quarterly reports within such times as the Minister specifies to supplement the annual submissions.
- When the production licence holder is unable to report for the full period of time as defined in the regulations. The proponent must state a reason. Ex: Planned shutdown, production suspended and or commenced in the year.
- A statistical return must be prepared by a professional engineer or geoscientist as described in the *Engineering and Geoscience professions act* or by an accountant as defined in the *Chartered Professional Accounts Act*.



# Production Data

The Production data component of statistical returns must include the following information:

- (a) the name and description of the mine;
- (b) the quantity in standard weight, and other particulars, of all ore, minerals, mineral concentrates and mineral products produced from, shipped from or received at the mine;
- (c) the name and address of the mill, smelter or refinery to which ore, minerals and mineral products from the mine have been sent;
- (d) the total cost of all on-property surface and underground diamond drilling undertaken by the operator or by a contractor on behalf of the operator, and the total length of all the holes drilled;
- (e) the operating costs of the mine for each tonne of ore mined;
- (f) the gross value of the metals, minerals or mineral products produced from the mine;
- (g) the value of the metals, minerals or mineral products produced from the mine after deducting the cost of making sales, transportation and treatment of the ore;
- (h) the total number of persons employed at the mine;
- (i) the total amount of wages and salaries paid during the year;
- (j) the quantity and grade of ore reserves at the mine as of the last preceding December 31st , identified as to category and including any stockpiled ore; and
- (k) such other particulars as the minister may, under the Act, from time to time require.

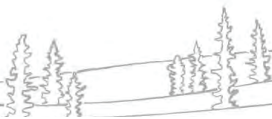


# Confidentiality

The data collected and reported under the statistical returns will be made public subject to the confidentiality provisions below.

Confidentiality of statistical returns will be determined by one of four criteria:

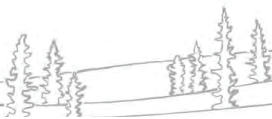
- (a) the holder of the mineral lease consents to the report being made publicly available;
- (b) all mineral lease(s), which are the subject of the report are cancelled;
- (c) the proponent has made information public or
- (c) one year have passed since the report was submitted.





# Royalties Linkages

- Only exploration expenditures reported through the lease annual exploration expenditures report or statistical returns will be eligible for deductions to offset royalty payments.
- Exploration activities for the purpose of meeting the requirements for statistical returns refer to the activities described in the definition of work.
- The statistical return must be filed in electronic form, submitted using the mineral tenure online user interface, and in compliance with the data standards and the technical requirements in the work requirements schedule.





# Chamber of Mines

Nov 28 and 29 2022

[Click to edit Date](#)

Government of  
Northwest Territories



# History of Legislation

- During Devolution in 2014, *NWT Lands Act and Mining Regulations* were created to mirror federal legislation.
- The *Mineral Resources Act (MRA)* received assent in August 2019, a stand-alone mineral legislation that enables various new authorities and functions beyond current Mining Regulations.
- Extensive new regulations and business processes are required, under the *MRA*, to meet the needs of the NWT, prior to it coming into force.

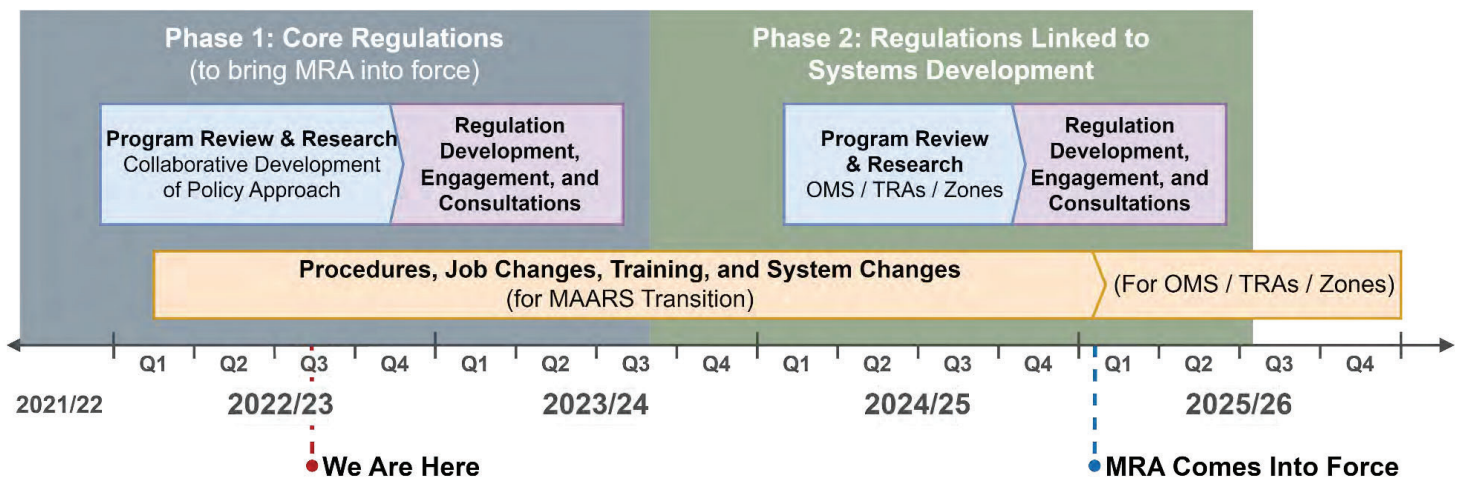


# Regulation Development Process

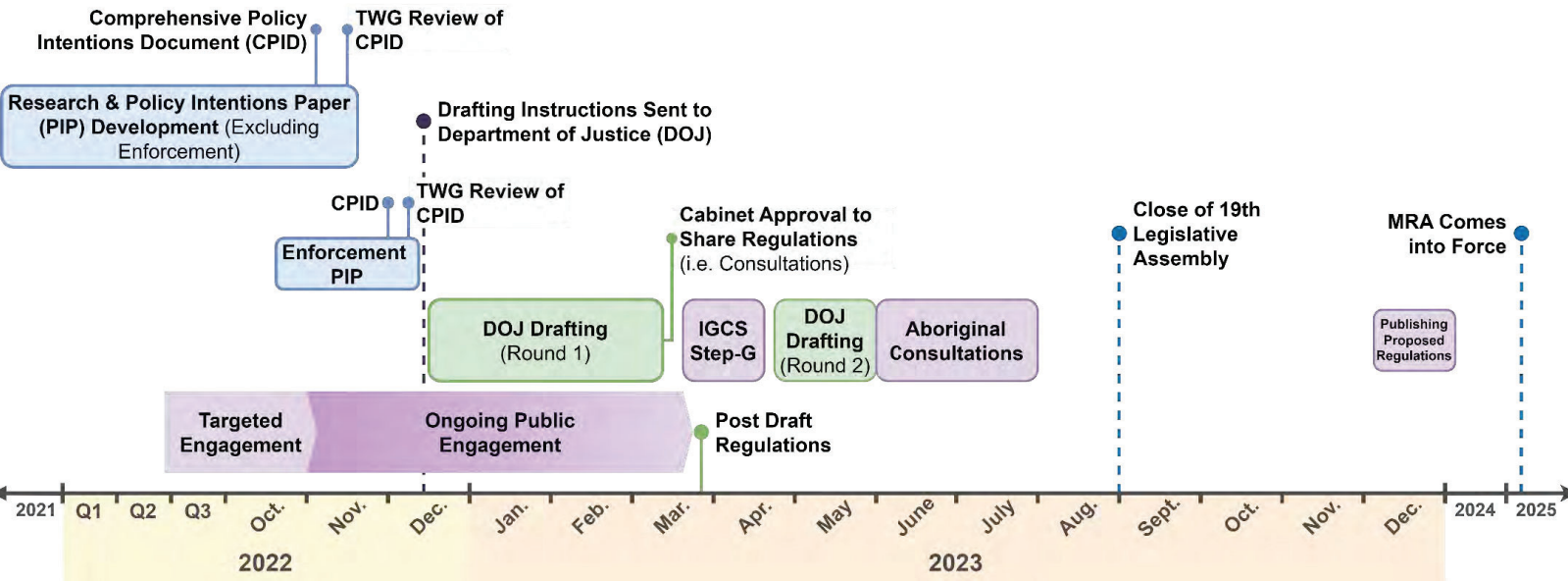
- Northwest Territories Intergovernmental Agreement on Land and Resource Management Act (April 2014)
- Intergovernmental Council on Land and Resource Management: Legislative Development Protocol (Dec 2020)
- Work with the Intergovernmental Council Secretariat (IGCS) to collaboratively develop regulations
- Setup a technical working group with IGCS (~March 2021)
- December 2021 invited other Indigenous Governments started participating in technical working group



# Regulations Phased Approach



# Phase 1 Regulations – MRA comes into force





Government of  
Northwest Territories

# MRA Regulations Industry Targeted Engagement

## Summary and Statistics

# Agenda

- Summary Statistics
- Topic wise Participation Statistic
- Q & A





# Summary Statistics

## Overview

- Duration  
26 Aug – 30 Sept
- 583 Prospector  
Licence holders  
invited

## Highlights

- Total Visits – 129
- Documents  
Downloads – 5
- MRA – 3
- 2017 NWT Mineral  
Sector Review and  
Benchmarking -2

## Participation

- Participated in  
Surveys  
Topics/Tools - 22
- Visited at least  
one page - 90



## 22 Survey Topics/Tools

Engagement Topics	Participants	Engagement Topics	Participants
Data Standards	13	Benefit Agreements	5
Increasing Work Requirements (Assessment Work)	10	Prospectors Licence	9
Simplified Reporting	11	Merit Based Tenure Regime	7
Drilling and Drill Cores	9	Evidence of Deposit	5
Prospector's Awareness Course	13	Production Licences	7
Temporary Restricted Areas	N/A	Removal of Minerals	5
Notification of Application to Record (NAR)	9	Statistical Returns	6
Notice of Intended Work	4	Legacy Projects	5
Indigenous Engagement Credits	9	Online Map Staking	7
Dispute Resolution: Mineral Rights Review Board	8	Zones	6
Resident Benefits (Socio-Economic Agreements)	8	Have your say about the MRA Regulations	12



# Topic 1: Data Standards

Do you agree with adopting the Prospectors and Developers Association of Canada (PDAC) Exploration Assessment Digital Data Formats (EADDF) for all work assessment reports for data submission in digital format, including PDF reports and other acceptable file(s) including metadata, spatial or map locations and all geophysics data submission including raw field data?

Yes

12

No

1



## Topic 2: Increasing Work Requirements (Assessment Work)

Do you support the proposed work rates to adequately collect geoscience information?

Yes	5	No	5
-----	---	----	---



## Topic 3: Simplified Reporting

Do you support the simplified reporting to a maximum value equivalent to two years' worth of work?

Yes

8

No

3

Would you support expanding the list of allowable activities under simplified reporting to include Very Low Frequency (VLF) geophysical surveys and ground magnetic surveys?

Yes

10

No

1



# Topic 4: Drilling and Drill Cores

Do you agree that the treatment of drill core should be reported for monitoring and to ensure that any drill cores, cuttings, and samples are preserved and maintained to ensure open access to mineral exploration data?

Yes

5

No

4



# Topic 5: Prospector's Awareness Course

Do you have any concerns with this method of delivery?

Yes

5

No

8



# Topic 6: Temporary Restricted Areas

**N/A for this survey engagement.**





## Topic 7: Notification of Application to Record (NAR)

Do you support changing the submission deadline for Applications to Record Mineral Claims from 60 days after ground staking is completed to 30 days after staking is completed?

Yes

4

No

5



## Topic 8: Notice of Intended Work

Is 30 days prior to completing exploration activities a realistic amount of time to submit the details identified on the form?

Yes	1	No	3
-----	---	----	---

ITI proposes to include the NOIW on the Public Registry. Do you have any thoughts or concerns about when a NOIW should be made publicly available? Are you concerned if NOIW is posted on the public register prior to field work occurring?

Yes	4	No	-
-----	---	----	---

Are you concerned if NOIW is posted on the public register: prior to field work occurring after 1 year?

Yes	4	No	-
-----	---	----	---

Are you concerned if NOIW is posted on the public register: after 2-3 years?

Yes	2	No	2
-----	---	----	---

## Topic 9: Indigenous Engagement Credits

If you are currently (or previously) participating in Indigenous Engagement, would you have considered utilizing a credit to recognize this effort?

Yes	8	No	1
-----	---	----	---

Do you prefer a higher or lower percentage of the filed technical work assessment? (For example, a report valued at \$10,000 would be eligible for either a 20% (\$2,000) or 30% (\$3,000) Indigenous Engagement Credit)

Lower percentage (20 percent) of geological and technical work assessment report	4	Higher percentage (30 percent) of geological and technical work assessment report	4
--	---	---	---



# Topic 10: Dispute Resolution-Mineral Rights Review Board

What would an appropriate limitation period be for the filing a request with the Mineral Rights Review Board?

Within 30 days of the recording of the decision or the act or omission	3	Within 45 days of the recording of the decision or the act or omission	2	Within 60 days of the recording of the decision or the act or omission	1	Other (please specify)	2
--	---	--	---	--	---	------------------------	---

Should the MRRB members have mandatory meetings on an annual basis?

Yes	4	Would you propose a different schedule?	3
-----	---	---	---

Should the MRRB members have mandatory training?

Yes	4	No	4
-----	---	----	---

Should the MRRB have the ability to determine a matter without a hearing? (i.e. make a determination based solely on the application and evidence in certain instances.)

Yes	4	No	3
-----	---	----	---

# Topic 11: Resident Benefits (Socio-Economic Agreements)

ITI is proposing a list of thematic commitments to be negotiated in all SEAs. This would ensure that all SEAs provide benefits in similar areas, but would allow proponents to negotiate the level of benefits provided under a specific theme. (e.g. "Employment" is a common theme in all SEAs. All SEAs contain northern employment commitments, but the exact level of northern employment required is different for each mine. Which types of benefits do you think are most critical to develop from mineral resource development in the NWT?

Employment Practices	5	Human Resources and Development	7	Business Development	6	Social Wellbeing	4
Cultural Wellbeing	2	Legacy Projects	2	Indigenous Government Participation	4	Sustainable Development; and	2

# Topic 11: Resident Benefits (Socio-Economic Agreements)

The MRA aims to streamline reporting requirements with universal dates for annual reporting (i.e. annual, quarterly, etc.), a list of required reporting topics and units of measurement, as well as regulated meetings (i.e. Quarterly meetings with the GNWT, meetings with Indigenous governments, senior officials meetings, etc.). What topics do you think should be publicly reported?

An overview of Gross Domestic Product (GDP) from the NWT mining economy	5	Employment in the mining industry	8	Business Procurement in mining	6
Education & Training (i.e. Apprenticeships, scholarships, etc.)	7	Participation of Women in Mining	4		

Regulating requirements and strengthening contract language will increase the environment in which SEA commitments can be enforced. Once an SEA is signed, initial enforcement could be handled by and adaptive management advisory body. To better achieve commitments under SEAs, what powers under adaptive management would be appropriate for an advisory body to have?

Ability to clarify qualitative commitments	5	Consider areas of over-achievement when addressing under-achievement in other areas	5	When commitments are not met, can develop corrective action options for SEA commitments, including GNWT and mine SEA commitments	6
--	---	---	---	--	---

## Topic 12: Benefit

For mines that exceed the threshold size, proof that all Benefit Agreements have been signed is required as part of the application for a production licence. This proof would be submitted as formal letters from Indigenous Governments and Proponents. Do you see any issues with requiring letters as proof that Benefit Agreements have been signed?

Yes	2	No	3
-----	---	----	---

When a mining project undergoes a significant change that affects the benefits it may provide (known as material change), a review of the project's BAs may be appropriate to ensure the level of benefits proposed matches the new scope of the project. What specific indicators do you think would be appropriate for signaling when a material change has occurred?

Change to project description	3	Projected Mine life change	3	Change to projected employment benefits	3	Other (add suggested additions)	3
-------------------------------	---	----------------------------	---	---	---	---------------------------------	---

In the event that a dispute arises during the negotiation of a Benefit Agreement that cannot be resolved by the proponent and Indigenous Government, the MRA regulations will contain provisions for a Dispute Resolution body. During renegotiation of an agreement caused by material change (see the previous question), there is potential for similar disputes to arise. Is it appropriate to apply the Dispute Resolution body to disputes that arise from renegotiation of a Benefit Agreement under material change?

Yes	3	No	2
-----	---	----	---

## Topic 13: Prospectors Licence

Do you have any concerns with the administrative changes (age and length of issuance) proposed?

Yes	3	No	6
-----	---	----	---





# Topic 14: Merit Based Tenure Regime

Do you support the changes to a merit-based tenure system?

Yes	5	No	2
-----	---	----	---

Do you see a 30-year claim life as adequate time in order to work a claim enough to prove that there is a deposit that is economical to produce?

Yes	6	No	1
-----	---	----	---



# Topic 15: Evidence of Deposit

Do you support the use of a prefeasibility study or technical equivalent (for privately held or small scale companies) for the submission of Evidence of Deposit?

Yes

3

No

2



# Topic 16: Production Licences

Do you see any concerns with requiring a Production Licence for the sale of mineral?

Yes

1

No

6



# Topic 17: Removal of Minerals

## Text based feedback



# Topic 18: Statistical Returns

Are there elements of the required statistical returns that need to remain confidential during the prescribed period (15 years)

Yes	3	No	3
-----	---	----	---

Are there elements of the required statistical returns that can be shared within the prescribed confidentiality period that would not prejudice the commercial interests of the operator, holder of the applicable mineral lease, or a 3rd party?

Yes	2	No	3
-----	---	----	---



# Topic 19: Legacy Projects

## Text based feedback



# Topic 20: Ground Staking to Online Map Staking for issuance of a Mineral Claims

Do you support implementing a no-grid solution for online map staking over a predefined grid?

Yes	7	No	-
-----	---	----	---



## Topic 21: Zones

One type of incentive would give proponents an exclusive right to prospect in an identified area. In their current state, prospecting permits already follow different rules depending on latitude and allow proponents to complete regional scale reconnaissance to generate specific areas of interest. With the move to online map staking, do you see the need for continuation of prospecting permits in the NWT?

Yes

3

No

3





# Topic 22: Have your say about the MRA Regulations

Select the organization that best suits your participation below. If none in the list apply to you, please select Public

Explorer	9	Public	3
----------	---	--------	---





## Notice of Intended Work Form (Draft)

Pursuant to s. 43 of the *Mineral Resources Act*, notice is hereby given of my/our intention to undertake mineral exploration. The information provided in this notification is a complete and accurate summary of the exploration activities planned for the following claim(s) and/or lease(s).

This Notice of Intended Work (NOIW) form must be submitted to the Mining Recorder's Office **XX** days prior to the start of exploration activities. A form must be completed for each set of separate claims or leases where work is intended, unless they comprise one overall project.

Initial NOIW (to be filed **XX** days prior to start of activities):

Amendment to initial NOIW (to be filed **XX** days prior to start of activities):

1. Contact Information		
<input type="checkbox"/> I am the claim holder/operator who will be carrying out the exploration activities. <input type="checkbox"/> I am submitting this notification on behalf of a corporation. <input type="checkbox"/> I am an agent submitting this notification on behalf of a claim holder or operator.		
First Name	Last Name	
Phone	Email	
Mailing Address		
City/Town	Province/Territory	Postal Code
Company Name (if applicable)		Prospector's Licence Number
2. Proposed Work Dates		
Start Date:	Earliest YYYY/MM/DD	Latest YYYY/MM/DD
End Date:	Earliest YYYY/MM/DD	Latest YYYY/MM/DD
Estimated duration of work (# of days)	Estimated number of personnel on site	
Are you likely to return this season if it is warranted by results? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, please estimate the duration (# of days) of additional work:		
3. Project Location and Access		
Proponents should attach a map (preferably 1:50,000 scale but for larger scale projects, 1:250,000 scale is suitable) outlining areas where specific work is planned. The map should include the scale and clearly labelled coordinates (Latitude/Longitude, UTM with specified datum (NAD 27 or NAD 83, etc.)).		
Project Name (if applicable)	NTS map sheet(s)	

UTM NAD83 Coordinates and Zone
Claim or Lease Number(s)
<p>How will you access the work site?</p> <input type="checkbox"/> Air <input type="checkbox"/> Existing Road(s) <input type="checkbox"/> Existing Trail(s) <input type="checkbox"/> Other (please specify below)
A Land Use Permit will be required for anything above the thresholds under “Lines, trails or right of ways” as listed under Section 5 of this form.
<p>Are there any known archaeological sites within the area of work?</p> <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> I am aware of responsibilities regarding archaeological sites
<p>If work is occurring on privately owned land, have you notified the surface rights holder?</p> <input type="checkbox"/> Yes <input type="checkbox"/> No
In what ways could this exploration project benefit local area businesses, residents, communities, organizations, or governments? (e.g., employment opportunities, purchase of goods/services from Northern or Indigenous businesses, research, and information).
<b>First Nations Traditional Territory</b>
<p>Information on this Notice of Intended Work will be shared by the Government of the Northwest Territories with Indigenous governments whose traditional lands may be affected by exploration activities. <b>Proponents are strongly encouraged to reach out and engage with any Indigenous government(s) as early as possible regarding specific details of the work planned.</b></p> <p>If you need help identifying First Nations whose land may be affected by your exploration work, please contact the MRO and/or the <a href="#">Client Service and Community Relations (CSCR) Unit</a> or email: <a href="mailto:cscr@gov.nt.ca">cscr@gov.nt.ca</a></p>
<p>Have any Regional or Community governments been contacted regarding your upcoming work plans?</p> <input type="checkbox"/> Yes <input type="checkbox"/> No
If yes, please state which ones below:
<p>Land claim and self-government agreements may have further requirements related to accessing certain lands in order to perform work. It is the responsibility of tenure holders to know and understand those obligations. Copies of the agreements can be found at: <a href="https://www.eia.gov.nt.ca/en/priorities/concluding-and-implementing-land-claim-and-self-government-agreements/existing-agreements">https://www.eia.gov.nt.ca/en/priorities/concluding-and-implementing-land-claim-and-self-government-agreements/existing-agreements</a></p> <p>Clarification on the agreements, in relation to minerals and exploration work, can be obtained from either the specific Indigenous government or the <a href="#">Client Service and Community Relations (CSCR) Unit</a> or both.</p>
<b>4. Work Activities</b>

This form is meant for information sharing with Indigenous governments and authorities. Please check the boxes of all the exploration activities that will apply to work on the stated mineral tenure and fill in any comments to provide further details.

<b>Prospecting (investigating rock outcrops and sampling)</b>	<input type="checkbox"/>
Additional information (optional): (add fillable text box)	
<b>Geochemical Sampling</b>	<input type="checkbox"/>
Additional information (optional): (add fillable text box)	
<b>Geophysical Surveys</b>	
Airborne geophysical survey	<input type="checkbox"/>
Ground geophysical surveys	<input type="checkbox"/>
Additional information (optional): (add fillable text box)	
<b>Trenching</b>	<input type="checkbox"/>
Additional information (optional): (add fillable text box)	
<b>Grid Work</b>	<input type="checkbox"/>
Additional information (optional): (add fillable text box)	
<b>Drilling</b>	<input type="checkbox"/>
Additional information (optional): (add fillable text box)	
<b>Indigenous Engagement</b>	<input type="checkbox"/>
Additional information (optional): (add fillable text box)	
<b>Other</b>	<input type="checkbox"/>
Additional information (optional): (add fillable text box)	

**5. Associated Obligations for Intended Work**

Please note that if exploration activities meet any of the following thresholds listed below, various permits or licences as determined by regulations under the [Mackenzie Valley Resource Management Act](#) (MVRMA) and [Waters Act](#) of the NWT may be necessary. It is the responsibility of individuals and companies to meet the requirements under those Acts and this notification does not relieve any proponent from those obligations.

<b>Explosives<sup>1</sup></b>	Using a quantity equal to or exceeding 150 kg in any 30 day period.
<b>Use of Vehicles/ Machinery<sup>1</sup></b>	Use of vehicle of weight equal to or exceeding 10 tonnes, other than on a road or on community landfill, quarry site or airport.
<b>Machinery<sup>1</sup></b>	Use of a self-propelled, power-driven machine for moving earth or clearing land.
<b>Machinery<sup>1</sup></b>	Use of a stationary, power-driven machine, other than a power saw, for hydraulic prospecting, earth moving or land clearing.
<b>Drilling<sup>1</sup></b>	Use of power-driven, earth drilling machinery the operating weight of which, excluding the weight of the drill rods, stems, bits, pumps and other ancillary machinery, equals or exceeds 2.5 tonnes.
<b>Storage of fuel<sup>1</sup></b>	Use of a single container for storage of petroleum fuel that has a capacity equal to or exceeding 4,000 litres.
<b>Storage of fuel<sup>1</sup></b>	Establishment of a petroleum fuel storage facility with a capacity equal to or exceeding 80,000 litres.
<b>Lines, trails or right of ways<sup>1</sup></b>	Leveling, grading, clearing, cutting, or snowplowing of a line, trail or right-of-ay (other than a road or existing access trail to a building) that exceeds 1.5

	metres in width and 4 hectares, for a purpose other than grooming of recreational trails.
<b>Campsites<sup>1</sup></b>	Use of a campsite outside of a territorial park for a duration of or exceeding 400 person days.
<b>Water<sup>2</sup></b>	Direct water use of 100m <sup>3</sup> or more per day
<b>Water<sup>2</sup></b>	Municipality or camp with capacity to house 50 or more people.
<b>Water<sup>2</sup></b>	Construction of a structure across a watercourse five or more metres wide at ordinary high-water mark.
<b>Water<sup>2</sup></b>	Channel and bank alterations, erosion control, diversion of water, alteration of flow or storage of water (dam or reservoir).
<b>Water<sup>2</sup></b>	Draining or infilling of a watercourse.
<b>Water<sup>2</sup></b>	Any direct or indirect deposit of waste (solid waste, sewage, drilling waste, etc.) to water.

<sup>1</sup> [Guide to the Land Use Permitting Process - Land and Water Boards of the Mackenzie Valley](#) – page 10-11 and 13.

<sup>2</sup> [Guide to the Water Licensing Process - Land and Water Boards of the Mackenzie Valley](#) – page 9-10.

Please refer to the [Mackenzie Valley Land and Water Board](#) for more information, appropriate legislation, applications and guidelines in relation to land use permits and water licences.

The work planned already falls under existing land use permit/water licence:  Yes  No  
 If yes, please provide the land use permit and/or water licence number(s)

### 6. Signature

I hereby certify that the information provided herein is true and complete to the best of my knowledge.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

Add some sort of privacy statement / personal information disclaimer.