

Targeted Engagement – Mineral Resources Act Regulations

Have Your Say - Government of Northwest Territories

TD 816-19(2) TABLED ON FEBRUARY 8, 2023

Benefit Agreements

Overview - Benefits - New

Enabling Section: 52

A Benefit Agreement (BA) is one between an Indigenous government and a company seeking to start a major mining project (above a prescribed threshold) in the NWT.

Unlike a Socio Economic Agreement (SEA), a BA allows Indigenous governments to negotiate benefits from a project without the input of the GNWT. By requiring a signed BA with Indigenous governments, the MRA encourages companies to work closely with Indigenous governments from the beginning of their project.

While it is intended that Indigenous governments negotiate for their own benefits, MRA regulations will streamline the process without impeding the rights and autonomy of Indigenous governments. As such, regulations are needed to address:

- Who should mines negotiate Benefit Agreements with?
- The timing & link to Production Licenses
- The establishment of a Benefit Agreements Dispute Resolution body

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?

(Choose any one option)

Yes

No

Answer this question only if you have chosen Yes for 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?

If Yes, Why?

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Answer this question only if you have chosen No for 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?

If no, Why?

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? (Select all the apply)

(Choose all that apply)

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

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?

(Choose any one option)

- Yes
- No

Answer this question only if you have chosen Yes for 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?

If Yes, Why?

Answer this question only if you have chosen No for 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?

If No, Why?

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Data Standards

Overview - Data Standards - Change

Enabling Section(s): 14

The GNWT collects work assessment reports from mineral claim holders. Although existing regulations stipulate that reports submitted in electronic format must be readable by the Mining Recorder's computer system, they do not require proponents to submit reports in a specific format or data file type.

The lack of formal data standards can impact the integrity, quality and long-term use of geoscientific data collected under work assessment reporting. Regulated data standards would optimize the data for all stakeholders.

Several Canadian jurisdictions have either adopted or are moving towards a single-window approach for online tenure registry/administrative support, and report filing. The GNWT will need to adopt a similar approach to support its establishment of the Mineral Administration and Registry System.

The Prospectors and Developers Association of Canada (PDAC) has established standardized submission report templates, file formats/extensions for numerical data, standards for geological mapping data, standard formats for tables, headers with alpha numeric codes and embedded information as metadata.

Regulations are proposed to require all information submitted to the GNWT meet PDAC 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?

(Choose any one option)

Yes

No

Answer this question only if you have chosen Yes for 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?

Please provide any additional comments you would like to have considered.

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Dispute Resolution: Mineral Rights Review Board

Overview

Enabling Section(s): 10, 64, 65, 66, 67, 68, 69, 114(1)(z.3)

The MRA establishes the Mineral Rights Review Board (MRRB) to replace the Ministerial Review process under current regulations.

The MRRB is an arms' length panel empowered to review disputes in relation to the MRA.

Anyone with a legal or beneficial interest in a dispute can request a review. The MRRB, however, cannot review disputes on benefits agreements or Ministerial discretion.

The MRRB is comprised of, at least four members, each with specialized experience in one or more of the following areas:

- Mineral resources;
- Royalties administration;
- Law; and/or
- Mineral rights and issuance of mineral interests under the MRA

Disputes will be decided by a panel of 3 members selected from the Board.

Regulations are required to further define the following:

- A limitation period - this is the window in which a person can request the MRRB to review an issue; but after which the option to request a review ends. (The limitation period for the current Ministerial review under the *Mining Regulations* allows requests for review within 30 days of the act or omission.)
- Meeting and training schedules - the MRRB could be required to have cyclical meetings and/or mandatory training on certain topics or within certain periods of time.
- Annual reporting - to support transparency, the MRRB is required to submit an annual report for tabling in the NWT Legislative Assembly however; the *Act* does not set out any specifications on what the report must contain.

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

(Choose any one option)

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

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

(Choose any one option)

- Yes
- No
- Would you propose a different schedule?

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Should the MRRB members have mandatory training?

(Choose any one option)

Yes

No

Answer this question only if you have chosen Yes for Should the MRRB members have mandatory training?

Why?

Answer this question only if you have chosen Yes for Should the MRRB members have mandatory training?

If Yes, On what topics would you suggest training occurs?

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Answer this question only if you have chosen Yes for Should the MRRB members have mandatory training?

If Yes, How frequent should mandatory training be?

Answer this question only if you have chosen No for Should the MRRB members have mandatory training?

If No, Why?

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.)

(Choose any one option)

Yes

No

Answer this question only if you have chosen Yes for 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.)

If Yes, Why?

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Answer this question only if you have chosen No for 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.)

If No, Why?

What would be an appropriate minimum notice period for the time, date and place of the hearing to be given to the requestor and any other party? (Notice period, form of notice and required recipients.)

Do you have any suggestions on what is contained in the MRRB's annual report?

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Drilling and Drill Cores

Overview

Enabling section: 50, 51, 114

Exploratory drilling is key to learning the contents of known and potential ore deposits and to test for geological structures or mineral commodities. The product and record of exploratory drilling is drill core (and cuttings)

As geological models and commodity prices change over time, drill core is commonly re-sampled and re-logged. Industry's use of previously-drilled core is a valued and cost-effective means of re-exploring the same area.

Regulations are proposed to make the sharing of specific drill core information (e.g. header and downhole spatial information) mandatory, and to restrict the destruction of drill core.

Provisions will allow drill cores to be removed from site (e.g. for testing purposes) and moved to a new location provided identified reporting requirements are met.

Requirements will be set for core storage similar to existing industry best practices (i.e. CIM best practise guidelines for labelling and storage). Upon expiration of a claim or lease, or in the event that drill core is determined to be abandoned, provisions will enable the Minister to take possession of drill core and make it available to industry.

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?

(Choose any one option)

Yes

No

Answer this question only if you have chosen Yes for 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?

If Yes, Why?

Answer this question only if you have chosen No for 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?

If No, Why?

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Evidence of Deposit

Overview - Evidence of Deposit - New

Enabling Section: 42

Regulations are proposed to change the NWT's temporal tenure system to a merit-based system. Exploration companies will have a total of 30 years to work their claim and prove that the deposit is economical to produce. An Evidence of Deposit is being created as a means of providing this proof.

The GNWT is proposing to use the Prefeasibility Study, which is conducted early in the life of a mine project and helps guide decisions made on the strength and future of the project itself, to serve as the basis of its Evidence of Deposit.

It is recognized that not all companies (e.g. privately held companies) create prefeasibility reports.

Suggestions are being sought for equivalent reports or documents that could be used to provide an Evidence of Deposit.

(It is necessary to ensure that leases are only issued at the advanced exploration project stage and not earlier as the lease should serve as a demonstration of the fact the project has defined economic potential and will continue to be developed.)

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?

(Choose any one option)

Yes

No

Answer this question only if you have chosen No for 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?

If no, what level of technical report is more appropriate to use for confirming an Evidence of Deposit.

If we set a technical equivalent to what is collected in a prefeasibility study, do have any suggestions on how companies could satisfy this requirement (e.g - submission of reserve statement signed by a qualified person)?

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Ground Staking to Online Map Staking for issuance of a Mineral Claims

Overview - Online Map Staking

The MRA sets the stage for the NWT to transition from traditional ground staking an electronic process.

Regulations required to implement online map staking will be addressed after the current phase of initial regulation development and once the required technology is in place.

There is a range of processes that could be adopted for mineral tenure selection under the MRA; from a rigid Grid approach which utilizes predefined cells to a flexible No-Grid approach which allows staking area free form polygons.

Technology advancements have made it possible to adopt a No-Grid solution that would build on current staking rules related to N-S, E-W orientation, claim size restrictions and 'clipping' irregular boundaries (e.g. of restricted areas or privately owned lands) without needing to convert current mineral tenure as per new regulations.

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

(Choose any one option)

Yes

No

Answer this question only if you have chosen No for Do you support implementing a no-grid solution for online map staking over a predefined grid?

Why?

What would be the best way to introduce an online map staking process?

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Increasing Work Requirements (Assessment Work)

Overview

Enabling sections: 42

In order to keep claims in good standing, the GNWT requires a certain dollar value of reporting per hectare referred to as the “work requirements” of a claim. Reports detailing this geological work are submitted to the GNWT. The data collected is released publicly and provides a base for future exploration programs.

While costs have risen, NWT work requirements have not changed since the 1970s.

As a result, when compared to other jurisdictions, the NWT is collecting a fraction of the geoscience data that could be made available for future exploration and study. When evaluated against annual exploration summaries created by Natural Resources Canada (NRCan) approximately 98% of exploration work reported by NRCan is uncollected in the NWT.

Increasing work requirements will result in an increase in required reporting and more data being made publicly available to increase mineral exploration in the NWT.

An updated and escalating work rate structure is being proposed as follows:

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

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

(Choose any one option)

Yes

No

Answer this question only if you have chosen Yes for Do you support the proposed work rates to adequately collect geoscience information?

If Yes, Why?

Answer this question only if you have chosen No for Do you support the proposed work rates to adequately collect geoscience information?

If No, Why?

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Indigenous Engagement Credits

Overview

Enabling Section(s):1(c)(iii)

While Indigenous engagement can take time and resources, it is critical for the success of mining projects that their proponents build relationships with Indigenous Governments and organizations.

The MRA has introduced “Indigenous Engagement Credits (IEC)” to encourage early engagement with IGOs and to recognize the efforts of mining and exploration companies in developing these relationships.

To incentivize industry engagement, the MRA allows reported engagement activities to satisfy work requirements on a mineral claim. To receive the IEC, proponents can submit written verification that a relationship has been established (i.e. letters or signed agreements from an IGO); or evidence of engagement expenditures (i.e. receipts)

In either case, claiming an Indigenous Engagement Credit will be optional and the regulations will limit the allowable expenditures based on:

- Stage of claim life (within the first 10 years of claim life), and
- Eligibility for work credits based on a percentage (e.g 20%, 30%, etc.) of the geological work filed. If a proponent submits written IGO verification, they will be eligible for the full percentage (%) of allowable credit; if a proponent provides expenditures, they will be eligible for the sum of those expenditures only up to a maximum defined percentage (%) of minimum work requirements.

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

(Choose any one option)

Yes

No

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Answer this question only if you have chosen Yes for If you are currently (or previously) participating in Indigenous Engagement, would you have considered utilizing a credit to recognize this effort?

Why

Answer this question only if you have chosen No for If you are currently (or previously) participating in Indigenous Engagement, would you have considered utilizing a credit to recognize this effort?

If No, Why?

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What is the maximum value that should be allowed for an IEC?

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)

(Choose any one option)

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

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Legacy Projects

Overview – Legacy Projects

One of the challenges to introducing new regulations is determining how existing interests will fit under the newly established system. While the new legislation becomes the rule, the interests that preceded it must still be considered.

In the case of mineral development in the NWT, interests issued under the NWT Mining (existing) Regulations will need to be accommodated under the MRA and its regulations.

“Grandfathering” is a common approach in these instances and would allow existing interests to be maintained according to the existing regulations even while the new MRA and its regulations are put in place.

The “grandfathering” approach, however, may conflict with the MRA’s purpose statements and counter desired modernization by keeping projects and holdings tied up in outdated systems.

For each potential regulation, a number of factors and considerations must be balanced to determine appropriate legacy treatment. They include:

- Legal factors relating to existing interests
- Indigenous considerations
- Losses, such as monetary losses, opportunity costs, and impacts on relations
- Technical considerations
- Effects on other regulations
- Inter-jurisdictional considerations
- Investment influences

Are there any anticipated regulatory changes that you think should be grandfathered for existing tenure or have all interest holders pushed into the new system?

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Merit Based Tenure Regime

Overview - Merit Based Tenure Regime - New

Enabling Section: 42

The tenure system in the NWT is “temporal”, meaning that tenure on a project is held for a prescribed length of time and transitions between mineral instruments are determined by these timelines.

When an exploration company stakes a claim in the NWT, it exists for 10 years. After this time, the claim is either cancelled or must become a mineral lease (which is then valid for 21 years). The NWT system does not make allowances for either the quality of a resource, or the stage of a project’s development.

Regulations are proposed to change the temporal system to a merit-based system. Exploration companies will have a total of 30 years to work their claim and prove that the deposit is economical to produce. An Evidence of Deposit would be created as a means of providing this proof to the GNWT.

Once the Evidence of Deposit is submitted, (even prior to the 30 years), the company’s claim would be eligible for transition to a mineral lease upon application.

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

(Choose any one option)

Yes

No

Answer this question only if you have chosen No for Do you support the changes to a merit-based tenure system?

Why?

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?

(Choose any one option)

Yes

No

Answer this question only if you have chosen No for 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?

If no, what is a more realistic amount of time and why?

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Notice of Intended Work

Overview

Enabling Section(s): 43, 7, 13, 114

The *Mineral Resources Act* introduces a Notice of Intended Work (NOIW) as a means to promote early engagement with Indigenous Governments and Organizations (IGOs) by industry proponents.

A NOIW will provide basic details of planned exploration work such as timing, location and the type of geological work. It will be provided to IGOs and other government departments in confidence for a prescribed period before work is completed. Proponents will be able to conduct work with discretion before the Notice is shared on the public registry.

Advanced notice will offer Indigenous Governments and Organizations the opportunity to address any specific sensitivities or concerns that exist; and identify opportunities in which they can contribute to exploration activities using local employees or businesses.

The NOIW is not an approval process. It does not change the need for environmental permitting and licencing requirements through other legislation. There will be flexibility to amend the NOIW prior to the commencement of work if a proponent's proposed work changes significantly from planned.

Both a short and detailed form are proposed for the NOIW: The short form would be for proponents that have land use permits or water licences in place and additional details can be found on the public registry. The detailed form would be used when permits and licences are not required, and detailed information is not publicly available.

Preliminary examples of these forms are attached.

Full Form (When a Land Use Authorization is not available)

Notice of Intended Work Form

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 or the modification activities intended for the following territory and/or location:

This Notice of Intended Work (NOIW) form must be submitted to Mining Recorder's Office **30** 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 the separate work is a continuation of work already in progress.

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

I declare under penalty of perjury that the information provided in this notification is true and correct to the best of my knowledge.

I am the claim holder/operator who will be carrying out the exploration activities.

I am an agent submitting this notification on behalf of a claim holder or operator. Select the Claim Holder/Operator: Corporation A Phone: _____

First Name: _____ Last Name: _____ Company or organization: _____ Mailing Address: _____ City/Town: _____ Province/Territory: _____ Postal Code: _____ Country: _____

Proprietor's Licence Number: _____

Exploration Work Dates

Start Date: **Rateless** [03-15-2022 00] Latest: [03-15-2022 00] End Date: **Rateless** [06-01-2022 00] Latest: [07-01-2022 00] Estimated Duration (of days): 107

Estimated number of government on site: [0] Are you likely to return this season if it is warranted by results? No. If yes, please estimate the duration (of days) of additional work: [0]

Exploration Activities

Project Name (if applicable): _____ Select Mineral Tenure: **Claim 1** **Claim 2** **Claim 3** **Claim 4** **Claim 5** **Claim 6** **Claim 7** **Claim 8** **Claim 9** **Claim 10** **Claim 11** **Claim 12** **Claim 13** **Claim 14** **Claim 15** **Claim 16** **Claim 17** **Claim 18** **Claim 19** **Claim 20** **Claim 21** **Claim 22** **Claim 23** **Claim 24** **Claim 25** **Claim 26** **Claim 27** **Claim 28** **Claim 29** **Claim 30** **Claim 31** **Claim 32** **Claim 33** **Claim 34** **Claim 35** **Claim 36** **Claim 37** **Claim 38** **Claim 39** **Claim 40** **Claim 41** **Claim 42** **Claim 43** **Claim 44** **Claim 45** **Claim 46** **Claim 47** **Claim 48** **Claim 49** **Claim 50** **Claim 51** **Claim 52** **Claim 53** **Claim 54** **Claim 55** **Claim 56** **Claim 57** **Claim 58** **Claim 59** **Claim 60** **Claim 61** **Claim 62** **Claim 63** **Claim 64** **Claim 65** **Claim 66** **Claim 67** **Claim 68** **Claim 69** **Claim 70** **Claim 71** **Claim 72** **Claim 73** **Claim 74** **Claim 75** **Claim 76** **Claim 77** **Claim 78** **Claim 79** **Claim 80** **Claim 81** **Claim 82** **Claim 83** **Claim 84** **Claim 85** **Claim 86** **Claim 87** **Claim 88** **Claim 89** **Claim 90** **Claim 91** **Claim 92** **Claim 93** **Claim 94** **Claim 95** **Claim 96** **Claim 97** **Claim 98** **Claim 99** **Claim 100**

If work is occurring on previously owned lands, have you modified the surface rights holder? Yes No

If work is occurring on previously owned lands, have you modified the surface rights holder? Yes No

If you intend to access the work site, please check the appropriate box(es): Existing Road(s) Existing Trail(s) Other (please specify): _____

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): _____

Exploration

How do you intend to access the work site? Existing Road(s) Existing Trail(s) Other (please specify): _____

Signatures

Signature: _____ Date: _____

Simple Form (When a Land Use Authorization is available)

Notice of Intended Work Form

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 or the modification activities intended for the following territory and/or location:

This Notice of Intended Work (NOIW) form must be submitted to Mining Recorder's Office **30** 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 the separate work is a continuation of work already in progress.

The work planned already falls under existing land use permit/water licence: No. If yes, please provide the land use permit and/or water licence number(s): W201SC0002, W201BC0001

I declare under penalty of perjury that the information provided in this notification is true and correct to the best of my knowledge.

I am the claim holder/operator who will be carrying out the exploration activities.

I am an agent submitting this notification on behalf of a claim holder or operator. Select the Claim Holder/Operator: Corporation A Phone: _____

First Name: _____ Last Name: _____ Company or organization: _____ Mailing Address: _____ City/Town: _____ Province/Territory: _____ Postal Code: _____ Country: _____

Proprietor's Licence Number: _____

Exploration Work Dates

Start Date: **Rateless** [03-15-2022 00] Latest: [03-15-2022 00] End Date: **Rateless** [06-01-2022 00] Latest: [07-01-2022 00] Estimated Duration (of days): 107

Estimated number of government on site: [0] Are you likely to return this season if it is warranted by results? No. If yes, please estimate the duration (of days) of additional work: [0]

Exploration Activities

Project Name (if applicable): _____ Select Mineral Tenure: **Claim 1** **Claim 2** **Claim 3** **Claim 4** **Claim 5** **Claim 6** **Claim 7** **Claim 8** **Claim 9** **Claim 10** **Claim 11** **Claim 12** **Claim 13** **Claim 14** **Claim 15** **Claim 16** **Claim 17** **Claim 18** **Claim 19** **Claim 20** **Claim 21** **Claim 22** **Claim 23** **Claim 24** **Claim 25** **Claim 26** **Claim 27** **Claim 28** **Claim 29** **Claim 30** **Claim 31** **Claim 32** **Claim 33** **Claim 34** **Claim 35** **Claim 36** **Claim 37** **Claim 38** **Claim 39** **Claim 40** **Claim 41** **Claim 42** **Claim 43** **Claim 44** **Claim 45** **Claim 46** **Claim 47** **Claim 48** **Claim 49** **Claim 50** **Claim 51** **Claim 52** **Claim 53** **Claim 54** **Claim 55** **Claim 56** **Claim 57** **Claim 58** **Claim 59** **Claim 60** **Claim 61** **Claim 62** **Claim 63** **Claim 64** **Claim 65** **Claim 66** **Claim 67** **Claim 68** **Claim 69** **Claim 70** **Claim 71** **Claim 72** **Claim 73** **Claim 74** **Claim 75** **Claim 76** **Claim 77** **Claim 78** **Claim 79** **Claim 80** **Claim 81** **Claim 82** **Claim 83** **Claim 84** **Claim 85** **Claim 86** **Claim 87** **Claim 88** **Claim 89** **Claim 90** **Claim 91** **Claim 92** **Claim 93** **Claim 94** **Claim 95** **Claim 96** **Claim 97** **Claim 98** **Claim 99** **Claim 100**

If work is occurring on previously owned lands, have you modified the surface rights holder? Yes No

If you intend to access the work site, please check the appropriate box(es): Existing Road(s) Existing Trail(s) Other (please specify): _____

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): _____

Exploration

How do you intend to access the work site? Existing Road(s) Existing Trail(s) Other (please specify): _____

Signatures

Signature: _____ Date: _____

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

Submit

Cancel

The [attached forms](#) are being proposed for the NOIW.

Do you have any general comments or concerns regarding the implementation of a NOIW?

Do you have any concerns about the specific information being requested on the attached forms? (Please share any thoughts or comments that you have about the example forms for the NOIW.)

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

(Choose any one option)

Yes

NO

Answer this question only if you have chosen NO for Is 30 days prior to completing exploration activities a realistic amount of time to submit the details identified on the form?

If no, what timing would be more realistic in your opinion?

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?

(Choose any one option)

Yes

No

Answer this question only if you have chosen Yes for 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?

If no, why?

Are you concerned if NOIW is posted on the public register:

prior to field work occurring after 1 year?

(Choose any one option)

Yes

No

Targeted Engagement – Mineral Resources Act Regulations

Have Your Say - Government of Northwest Territories

Answer this question only if you have chosen Yes for Are you concerned if NOIW is posted on the public register: prior to field work occurring after 1 year?

If Yes, why?

Are you concerned if NOIW is posted on the public register:

after 2-3 years?

(Choose any one option)

Yes

No

Answer this question only if you have chosen Yes for Are you concerned if NOIW is posted on the public register:after 2-3 years?

If no, why?

What Issues need to be considered?

Targeted Engagement – Mineral Resources Act Regulations

Have Your Say - Government of Northwest Territories

Notification of Application to Record (NAR)

Overview - Notification of Application to Record (NAR) - New

Enabling Section: 29

Explorers in the NWT have 60 days after ground staking to submit an Application to Record Mineral Claim to the Mining Recorder's Office (MRO). If all regulatory requirements are met, the mineral claim may be recorded on the 61st day after staking is completed.

Indigenous communities can often be unaware of activity taking place in areas where traditional territory has been established or asserted.

The MRA introduces the Notification of Application to Record (NAR) as a means to advise Indigenous governments and organizations directly of mineral claims staked in their traditional territory.

The NAR would be distributed after an Application to Record Mineral Claim is submitted to the MRO and would provide an opportunity for a proponent and Indigenous governments and organizations to open a dialogue before the claim is officially recorded.

A set period of 30 days is prescribed, after a NAR is issued, before the claim can be recorded. (The claim may be recorded by the MRO on the 31st day after a NAR is issued.)

To accommodate the NAR without lengthening overall timelines for claim issuance, it is proposed that the allowable time to submit an Application to Record Mineral Claim to the MRO following ground staking will be reduced from 60 days to 30 days.

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?

(Choose any one option)

Yes

No

Answer this question only if you have chosen Yes for 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?

Why?

Answer this question only if you have chosen No for 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?

If No, Why?

Targeted Engagement – Mineral Resources Act Regulations

Have Your Say - Government of Northwest Territories

Production Licences

Overview - Production Licences - New

Enabling Section: 47

A Production Licence is required under the MRA to produce or sell minerals in the NWT. (This includes selling reprocessed trailings or selling from stockpiles; and is linked to the need to provide reporting for royalties.)

Production licences are proposed to determine the point at which a mineral project gains the right to sell its minerals.

Production Licences will set terms and conditions required to keep the licence in good standing. Projects above a certain threshold of economic benefit, will require the negotiation of benefit commitments (usually in the form of benefit agreements or socio-economic agreements) before a production licence is issued.

Smaller projects may not be required to fulfill benefit commitments but will still be obligated to obtain a production licence and meet reporting requirements.

The Issuance of a production licence will require the following:

- Prospector licence
- Mineral lease
- A completed Benefits Agreement and/or Social Economic Agreement if above the benefits threshold, and
- A Potential for a Commercial Agreement (identifying owners/operators royalty reporting).

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

(Choose any one option)

Yes

No

Answer this question only if you have chosen Yes for Do you see any concerns with requiring a Production Licence for the sale of mineral?

If yes, why?

Are there any additional requirements that you think should be added to a Production Licence? Please describe.

Targeted Engagement – Mineral Resources Act Regulations

Have Your Say - Government of Northwest Territories

Prospector's Awareness Course

Overview - Prospector's Awareness Course - Change

Enabling Section: 27

Under the MRA , the completion of a Prospector's Awareness Course is required to obtain a prospector's licence.

Its purpose, in part, is to set expectations for working in NWT and to improve working relationships between all parties.

The course will be specific to the NWT and designed to educate prospectors about the unique and complex political, cultural, ecological, and regulatory regime within the territory.

ITI is proposing that the Prospector Awareness Course be provided through a digital platform.

Do you have any concerns with this method of delivery?

(Choose any one option)

Yes

No

Answer this question only if you have chosen Yes for Do you have any concerns with this method of delivery?

If Yes, Why?

Answer this question only if you have chosen No for Do you have any concerns with this method of delivery?

If No, Why?

Targeted Engagement – Mineral Resources Act Regulations

Have Your Say - Government of Northwest Territories

Prospectors Licence

Overview - Prospectors Licence - Change

Enabling Section 27

All individuals intending to stake a claim and complete select tenure transactions in the Northwest Territories must hold a valid prospector's licence.

Under the MRA, the minimum age to apply for a prospector's licence has changed from 18 to 19; and prospector licences are valid for five years from the date issued.

All individuals are now required to complete a prospector's awareness course before their licence can be granted.

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

(Choose any one option)

Yes

No

Answer this question only if you have chosen Yes for Do you have any concerns with the administrative changes (age and length of issuance) proposed ?

If yes, please state your concerns

Targeted Engagement – Mineral Resources Act Regulations

Have Your Say - Government of Northwest Territories

Removal of Minerals

Overview - Removal of Minerals - New

Enabling Section 45

During exploration, companies often remove minerals from a site for testing purposes. Sometimes these samples are large and have enough economic value that royalties should be paid.

Under the MRA, the 'removal of minerals' from a site will be regulated, particularly during the exploration (i.e. non-mining or production) phase of the project.

What is a reasonable volume/tonnage/dollar value or \$ of resource that could be adopted as a limit on the amount of minerals removed for a bulks sample?

Targeted Engagement – Mineral Resources Act Regulations

Have Your Say - Government of Northwest Territories

Resident Benefits (Socio-Economic Agreements)

Overview

Enabling Section: 52

To be clear about what is expected from a mining project in the NWT, the MRA will regulate the requirement for resident benefits.

Benefits, in this context, are new opportunities received by residents of the NWT, Indigenous groups, or the GNWT that are positive for the territory or local communities, and stem from wealth and economic activity created by the mining sector.

Historically, Benefits from mining projects have been viewed in terms of employment, training, and local business opportunities. However, more recent ideas of Benefits have begun to include social & cultural well-being, health, and sustainable development.

(Royalties are a form of monetary benefit from a mine and are also regulated under the MRA.)

NWT Resident Benefits will continue to be negotiated and commitments set out in Socio-Economic Agreements (SEAs) signed with the GNWT.

Regulations are proposed to improve how Socio-Economic Agreements are negotiated, implemented and enforced, by:

- Creating a requirement for mines that exceed a benefits threshold to negotiate Socio-Economic Agreements before issuing a production licence
- Improving engagement & adaptive management of SEAs
- Maximizing the benefits provided to NWT residents by standardizing and streamlining the content of SEAs

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? (select up to 4)

(Choose any 4 options)

- Employment Practices
- Human Resources and Development
- Business Development
- Social Wellbeing
- Cultural Wellbeing
- Legacy Projects
- Indigenous Government Participation
- Sustainable Development; and
- Other Socio-Economic Benefits (please specify)

Targeted Engagement – Mineral Resources Act Regulations

Have Your Say - Government of Northwest Territories

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?

(Pick all that apply)

(Choose all that apply)

- An overview of Gross Domestic Product (GDP) from the NWT mining economy
- Employment in the mining industry
- Business Procurement in mining
- Education & Training (i.e. Apprenticeships, scholarships, etc.)
- Participation of Women in Mining
- Other (please specify)

What other Benefits should be included in the reporting?

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Have Your Say - Government of Northwest Territories

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? (Pick all that apply)

(Choose all that apply)

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

What other powers under adaptive management should be considered for the advisory body?

Why?

Other adaptive management powers?

What other powers under adaptive management should be considered for the advisory body? Why?

Targeted Engagement – Mineral Resources Act Regulations

Have Your Say - Government of Northwest Territories

Simplified Reporting

Simplified Reporting

Enabling Section: 42(1)

The process for filing public reporting documents in the NWT is becoming increasingly strict and complicated.

There is a need to maintain a simplified work reporting stream that will allow prospectors to file reports annually and maintain their mineral tenure even though they may not meet professional standards required by the *Engineering and Geoscience Professions Act*.

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

(Choose any one option)

Yes

No

Answer this question only if you have chosen Yes for Do you support the simplified reporting to a maximum value equivalent to two years' worth of work?

If Yes, Why?

Answer this question only if you have chosen No for Do you support the simplified reporting to a maximum value equivalent to two years' worth of work?

If No, Why?

Targeted Engagement – Mineral Resources Act Regulations

Have Your Say - Government of Northwest Territories

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

(Choose any one option)

Yes

No

Answer this question only if you have chosen Yes for Would you support expanding the list of allowable activities under simplified reporting to include Very Low Frequency (VLF) geophysical surveys and ground magnetic surveys?

If Yes, Why?

Answer this question only if you have chosen No for Would you support expanding the list of allowable activities under simplified reporting to include Very Low Frequency (VLF) geophysical surveys and ground magnetic surveys?

If No, Why?

Targeted Engagement – Mineral Resources Act Regulations

Have Your Say - Government of Northwest Territories

Statistical Returns

Overview - Statistical Returns

To increase the amount of information gathered at the mineral lease (and mining) stages of a mine cycle, statistical returns are now required annually for all mine properties.

All mineral leaseholders and mine operators are required to submit a report to include geological information and, if applicable, the statistics of an operational mine.

Statistical returns may become one of the required criteria for a production licence. The data in a statistical return would become public after a prescribed period (15 years).

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

(Choose any one option)

Yes

No

Answer this question only if you have chosen Yes for Are there elements of the required statistical returns that need to remain confidential during the prescribed period (15 years)

If Yes, what are these elements.

If No, why not?

Answer this question only if you have chosen No for Are there elements of the required statistical returns that need to remain confidential during the prescribed period (15 years)

If No, why?

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?

Targeted Engagement – Mineral Resources Act Regulations

Have Your Say - Government of Northwest Territories

prejudice the commercial interests of the operator, holder of the applicable mineral lease, or a 3rd party.

(Choose any one option)

Yes

No

Answer this question only if you have chosen Yes for 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?

If Yes, what are these elements.

Answer this question only if you have chosen Yes for 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?

If No, why?

Targeted Engagement – Mineral Resources Act Regulations

Have Your Say - Government of Northwest Territories

Temporary Restricted Areas

Overview

Enabling Section: 21, 23

Temporary Restricted Areas (TRAs) are novel instruments enabled under the *Mineral Resources Act* as a method for the rapid restriction of areas with unique archaeological, cultural, ecological, geological, or historical significance.

The intention of creating this tool was to introduce a stopgap measure to restrict specific areas of land which are particularly significant and sensitive from the issuance of mineral interests while a longer term protection could be pursued.

The designation of a TRA is intended to allow the time for a longer term measure to be implemented under other legislative provisions, based on the type of protection tool that best suits the area of significance.

The TRA would allow time for a fulsome analysis of whether the area warrants inclusion under a separate prolonged method of withdrawal by the appropriate administrative body.

TRA would not apply to existing mineral tenure, so while the Minister may suspend the issuance of new tenure, already recorded claims and leases would remain unaffected.

However, TRAs could occur after staking a claim but prior to the claim issuance. The designation of a TRA is not intended to imply that a longer term measure *is* warranted, but it will temporarily allow for a more fulsome external evaluation of whether the restricted area warrants inclusion under a method of withdrawal outside of the MRA.

Because the submission and recording of TRAs will be so closely tied to Online Map Staking (OMS), the best way to implement TRAs is alongside OMS development.

A shift to an OMS system will change the overall structure and process for mineral exploration and staking claims in the NWT. It will modernize many aspects of prospecting and the relationships between prospectors and IGOs.

Critically, OMS allows for staking without the need to physically stake claims on the land. By aligning the implementation of TRAs with OMS, ITI expects to reduce complexity and create a streamlined system for TRA submissions.

This page is for your information, and has no questions at this time.

Targeted Engagement – Mineral Resources Act Regulations

Have Your Say - Government of Northwest Territories

Zones

Overview - Zones

Enabling Section(s): 7, 21, 25, 114,

The establishment of zones is a unique feature of the MRA. They are intended to facilitate exploration incentives in areas where future development is being encouraged (e.g. underexplored and remote areas).

Zones can be established by the Minister, or upon receipt of a proposal from Indigenous governments or organizations. They can be established on a case-by-case basis for a period of up to 15 years and renewed if the reason for their establishment still applies.

There is no minimum or maximum size; or shape requirement for a zone.

A number of defining regulations are required to establish the processes that will be incorporated in applying, engaging and /or terminating zones. Input is needed on the overall merit of such zones as well as their proposed size and duration.

Can you think of any determining factors that could be considered when establishing the zone life duration?

What are your thoughts on prescribing size requirements for zone in the regulations?

What specific incentives would you find beneficial to be considered for a zone (e.g. reduction in work requirements)?

Targeted Engagement – Mineral Resources Act Regulations

Have Your Say - Government of Northwest Territories

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?

(Choose any one option)

Yes

No

Answer this question only if you have chosen Yes for 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

Why?

Answer this question only if you have chosen No for 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

If No, Why?