



Mackenzie Valley Operational and Regulatory Dialogue: MVOD to MVOD Plus

WORKSHOP SUMMARY REPORT

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SUBMITTED TO

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Background and Workshop Overview

The Mackenzie Valley Operational Dialogue (MVOD) started in March 2020 to help address concerns raised during the review of Bill C-88 (an Act to amend the Mackenzie Valley Resource Management Act, among other Acts). The initial focus of this table was on small-scale exploration, such as sharing knowledge on information required to process mineral applications and identifying potential solutions. MVOD served as a pilot to provide momentum for more regular dialogue for partners, rights holders, and stakeholders to collaborate on specific and prioritized operational improvements related to small-scale mineral exploration in the Mackenzie Valley resource co-management regime. Since the original in-person meeting in March 2020, several virtual meetings have been held and “Light Work Plans” developed.

The most recent MVOD workshop was held February 14-15, 2023 as a hybrid (in-person and virtual attendance) event, to provide updates on the progress of the Light Work Plans and to discuss the changing context of critical minerals development in Canada (see Annex A for the participant list). On December 9, 2022, the Government of Canada released its [Critical Minerals Strategy](#) (CMS), which is intended to increase the supply of responsibly sourced critical minerals and support the development of domestic and global value chains for the green and digital economy. Key objectives of the CMS are to:

1. Support economic growth, competitiveness, and job creation
2. Promote climate action and environmental protection
3. Advance reconciliation with Indigenous peoples
4. Foster diverse and inclusive workplaces and communities
5. Enhance global security and partnerships with allies

The Northern Regulatory Initiative represents a northern and Indigenous participation-focused piece of the CMS that is led by Crown-Indigenous and Northern Affairs Canada (CIRNAC) and the Canadian and Northern Economic Development Agency (CanNor). Through the CMS, the Northern Regulatory Initiative has \$40 million over seven years to support efficient, effective, and inclusive northern regulatory regimes by advancing work in the following pillars:

- **Collaborative dialogue forums** among representatives of Indigenous governments and organizations, territorial governments, the federal government, the minerals industry, and northern resource management boards on common operational and regulatory objectives;
- **Advancement of regional and cumulative effects studies** to better inform decision-making;
- **The participation of** otherwise unfunded Indigenous governments and organizations in the development and finalization of land use plans;
- **The participation of** otherwise unfunded Indigenous governments and organizations in early and late stages of impact assessment; and

- **Crown Consultation review to ensure processes are clear and coordinated** among territorial governments and other responsible authorities at the outset of project proposals.

As socio-economic, environmental, and political contexts continue to evolve across the North, it is important to work collaboratively with partners to respond to priorities, challenges, opportunities, and interests that have been and continue to be raised through MVOD and other forums. The second day of the 2023 MVOD workshop focused on considering the expansion of MVOD to “MVOD Plus” to discuss how broad regulatory and operational objectives could be prioritized and actioned. Like MVOD, MVOD Plus would not be a decision-making body but a forum where partners, rights holders, and stakeholders can learn from each other, identify and prioritize common objectives, and redirect operational and regulatory concerns to appropriate decision-making tables and bodies.

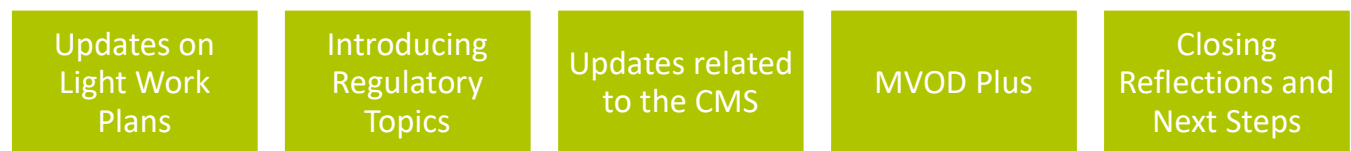
Workshop Objectives

The objectives of the 2023 MVOD workshop were to:

- Provide updates on MVOD Light Work Plans and discuss next steps,
- Present on Development Certificates (and discuss views),
- Present updates on the Government of Canada’s Critical Minerals Strategy (including the Northern Regulatory Initiative), present updates on the Government of Canada’s Regional Energy and Resources Tables (RERTs), present updates on the Government of the Northwest Territories Critical Minerals Action Plan, and discuss opportunities for ongoing engagement, and
- Discuss the idea of regulatory dialogues and how parties can work together to shape the expanded scope of this dialogue.

Report Overview

The purpose of this report is to provide a summary of the operational updates and discussion on expanding the scope of MVOD to MVOD Plus. The graphic below outlines the organization of the report.



Updates on Light Work Plans

The Government of Northwest Territories (GNWT), Mackenzie Valley Land and Water Boards (LWBs), and CIRNAC previously committed to develop four light work plans to address priority operational improvements:

1. Application Templates for Small-Scale Mineral Land Use Permits (GNWT)
2. Education and Outreach (GNWT & LWBs)
3. Analytics Tracker (with visuals) for regulatory proceedings (LWBs)
4. Communication Strategy (CIRNAC)

These presentations are available in Annex B, a separate PDF that is available on the Mackenzie Valley Land and Water Board's website.

Light Work Plan 1: Mineral Exploration Template (GNWT)

While the original goal of Light Work Plan 1 was to create a template or tool for small-scale exploration applications, further discussion demonstrated that there was no need for a template. The group's focus shifted to gathering information on administrative burdens or "bottlenecks" associated with mineral exploration permitting and licensing. A Technical Working Group met in January 2023 to identify and discuss potential process areas of improvement, which resulted in a list of identified issues and opportunities summarized below:

- **Water Use**
 - **Issue:** Uncertainty related to license requirements, interpretations, and risks to small scale operators and whether small scale operators should apply for water use under the "Mining and Milling" or "Miscellaneous" category.
 - **Opportunity:** The LWBs are exploring ways to clarify questions on interpretations. Until this matter is resolved, the [Water Use Reference Bulletin](#) remains in effect.
- **Indigenous Engagement:**
 - **Issue:** Uncertainty among applicants around who, when, and how to engage.
 - **Opportunity:** Opportunities include keeping regularly updated contact information for Indigenous governments and organizations and creating an engagement process or best practice document. The LWBs have recently released an updated [policy on engagement and consultation](#) based on several workshop engagements and a full-board review. Board staff are updating guidelines to reflect these changes and have planned a [public workshop for May 17, 2023](#) to gather parties' input on the updates.
- **Management Plans:**
 - **Issue:** Perceived as significant work during the application process.
 - **Opportunity:** Potential to create a template for industry of management plan requirements.
- **Definition of small-scale projects:**

- **Issue:** Uncertainty related to the definition of and thresholds for small-scale projects, which are perceived to be changing over time. There was concern about thresholds dropping over time when there is an unclear definition of what constitutes a small-scale project.
- **Opportunity:** Compare previous and current scopes of small-scale projects and develop a common definition for consistency.

Next steps include following up with the Technical Working Group and others to advance and identify additional potential solutions and develop communications products.

Questions/Concerns

- Participants identified the need for parties to have a common understanding of what constitutes a small-scale exploration project - what it looks like and what it does not look like. There was a perception from some participants that there has been an evolution in the definition of these projects as well as thresholds that warrant a license. The LWBs explained that they review applications based on whether they trigger a water license or land use permit, not based on a project definition. The LWBs and the GNWT will address this concern in the next Technical Working Group meeting.
- There were concerns about potential infringements on Indigenous rights and impacts on sensitive areas. Participants highlighted the importance of working with Indigenous governments and organizations from the beginning to ensure their rights are respected.
- A participant asked how ecosystems-based perspectives and monitoring programs were incorporated in water license issuance processes by the LWBs. The LWBs described the role that public reviews and surveillance network programs play in the issuance of a water license and clarified that the issuance of a license or permit to an applicant does not end this process, as they are also required to regularly submit management plans and are subject to inspector site visits.

Light Work Plan 2: Education and Outreach (GNWT and LWBs)

The GNWT spoke to various education and outreach programs that focus on building awareness and understanding of the mining sector in the north among NWT residents and prospectors:

- [Resources and Energy Development Information](#) (REDI)
- [Mining Matters](#)
- [Mining North Works](#)
- Prospector Training
- Mining Week

Annex B, a separate PDF that is available on the Mackenzie Valley Land and Water Board's website, provides the program summaries presented at the meeting.

Questions/Concerns

- Participants asked whether the GNWT plans to visit other communities or provide funding and/or transportation to participate in education and outreach opportunities. They suggested that education and outreach should be done on a yearly basis to reach all generations. The GNWT commented that it can be challenging to reach all communities but there are plans to expand outreach.
- Participants identified that improving the communication and advertising of programs should be a priority. It was recommended that the GNWT consider additional advertising of Mining Week and Mining North Works programs on social media platforms and making funding available for youth from outside communities to attend. The GNWT responded that:
 - Information on Prospector Training opportunities is distributed by the [Mine Training Society](#) and News North.
 - Mining North Works plans to work with career and education advisors to deliver professional development tools so they can provide them as options in all communities.
 - REDI is limited by budget capacity and thus cannot be delivered in every community, but virtual programs are offered by Mining Matters.
- MVLWB representatives noted that “MVRMA in a Day” presentations are offered regularly by the LWBs for those who would like to learn more about the resource co-management system in the Mackenzie Valley.

Light Work Plan 3: Analytics (LWBs)

The LWBs showcased elements of the [Analytics Dashboard](#), a draft version that is publicly available on their Online Review System (ORS) (updates are ongoing as data continues to be added). The LWBs are interested in using this tool to determine what types of submissions are taking up the most time, how long it takes for LWBs to process applications, and who is participating the most in the ORS. At this time, analytics show that plans and reports take up more than 50% of the LWBs’ time. Requirements regulating ongoing activities, such as monitoring and closure plans, tend to require the most time. Deliberations on applications tend to take a long time, but nothing has taken longer than the legislated timelines to date. The LWBs are seeking comments on the Dashboard and have encouraged that any questions or suggestions on how it can be improved are forwarded to Ryan Fequet at rfequet@wlb.ca or 867-765-4589.

Questions/Concerns

- Participants were interested in understanding how the LWBs prioritize applications. The LWBs indicated that applications are processed on a first-come-first-served basis.
- A participant asked what these analytics are telling the LWBs about their own processes. The LWBs responded that it is difficult to provide a complete response without all data included, but they found that the “Start Up” phase (the period spent helping the proponent when an application is received for public review) took an average of 27 days and that other phases were completed within legislative timelines.

Light Work Plan 4: Communication Strategy (CIRNAC)

The Communication Strategy includes a commitment to meet every 12-18 months to provide updates on LWPs and other regulatory initiatives, discuss new operational LWPs/priorities, and receive questions/feedback on operational regulatory initiatives. A touchstone meeting will be planned to occur virtually every 6-8 months. All MVOD-related material will be published to the Mackenzie Valley Land and Water Board website, under “External Initiatives.”

Questions/Concerns

- A participant asked whether there is a strategy to include Land Use Plans or First Nations who are working on LUPs. CIRNAC responded that the discussion on the CMS might provide clarity for land use planning.

Discussion

- A participant spoke to instances of prospectors visiting sites without engaging the First Nation’s Chief, Council, or administration. This topic was also raised at a recent workshop on regulation development for the territorial *Mineral Resources Act*.
- There is a need to communicate what small scale mineral exploration looks like, especially given that there is a combination of new and returning participants at MVOD with different experiences in and with the minerals industry.
- Collaborative training efforts should be made between Indigenous governments and organizations and members of the minerals industry (i.e., training on the land).
- Application processes can be challenging for proponents and risk detracting from northern investment. Templates for new proponents to navigate the regulatory system may be helpful (i.e., “fill in the blank” options on management plans).
- There was concern about expanding the scope of MVOD when the light work plans are still in progress.

Introducing Regulatory Topics to Operational Dialogues

Currently, there is no dedicated space to address broad regulatory topics that are not operational in nature (i.e., those that require legislative or regulatory amendments/development), as they are out of the current scope of the existing MVOD. Within the new context of federal and territorial strategies and action plans on critical minerals, there is an opportunity to use existing forums to discuss broader regulatory challenges and opportunities in a way that supports sustainable critical mineral development in the North and more efficient, effective, and inclusive northern regulatory regimes. The MVOD Organizing Committee has proposed that the scope of this forum be expanded to include regulatory topics such as those outlined below.

Regulatory Topics Overview

Below are topics that have emerged through discussion in various forums:

- **Consultation and Engagement** concerns with capacity, coordination, uncertainty on roles for Crown consultation, and confusion on requirements and funding.
- **Security Deposit Requirements** and issues with the security estimator tool and how estimation is conducted. A Security Estimation Tool is nearing completion to address this challenge.
- **Land Use Permit Regulations** misalignment with water licenses and short timelines.
- **Water Licence Regulations** questions around water use and thresholds.

Other topics that were identified in the [2020 NWT Environmental Audit Findings](#) include:

- Progress has been made on addressing regulatory gaps identified in the 2015 Audit, but gaps still persist.
- Devolution has transferred some responsibilities, but this has not resulted in greater clarity in co-management at this time.
- Indicators of community well-being are being monitored, but it is not evident how effectively the information is being used to inform regulatory decision-making.
- Regulatory process for some low-risk activities causes uncertainty for industry.
- Land use plans have not been developed and/or finalized in areas with unsettled land claims.
- There has been significant progress on participant funding for environmental assessments though gaps remain for other regulatory processes.
- There is no structure in place to ensure that individual monitoring programs in the NWT contribute to environmental trend or cumulative impact monitoring.

Regulatory Request: Development Certificates

The Mackenzie Valley Environmental Impact Review Board (Review Board) presented on how governments and partners can prepare to bring Development Certificates under the *Mackenzie Valley Resource Management Act* into force. Development Certificates are designed to make authorizations and amendments more efficient, reflect the reality of operations, support adaptive management and monitoring, and improve compliance and enforcement. More information on the role of Development Certificates can be found on the Mackenzie Valley Land and Water Board's website and the Review Board's 2020 perspectives paper, "Evolving Environmental Impact Assessments in the Mackenzie Valley and Beyond," accessible through the Review Board's website (see their ["Conference papers and articles" webpage](#)).

Questions/Concerns

- Participants were interested in whether Development Certificates would impact water licensing, environmental impact assessments, existing projects, public processes, and decision-making. The Review Board responded that Development Certificates are tools to implement measures from the existing impact assessment process and support the enforcement of those measures (as "conditions" in the Development Certificates).

- Development Certificates do not replace water licenses, but rather serve as a way to better enforce environmental assessments.
- Developments that have already received environmental assessment approval do not require Development Certificates.
- Development Certificates will not shorten environmental assessment legislated timelines.
- The public can request reconsideration of conditions in Development Certificates and there will be an opportunity for public consultation when Development Certificates require amendments (e.g., if conditions have changed or are not being met). The Review Board would request amendment to the Minister.
- Development Certificates would not impact the principles under interim measures agreements and land claims that could trigger environmental assessments. Participants acknowledged the importance of settling land claims and developing land use plans to identify no-go areas as fundamental components of the Mackenzie Valley resource co-management regime.
- A participant asked why the provision under the MVRMA for Development Certificates had not been implemented to date. The Review Board explained that provisions were delayed for several reasons, including due to challenges to the ‘mega-board’ amalgamation proposal.
- A participant asked whether there will be a process to ensure a company’s commitments to benefits are not duplicated in Development Certificates. The Review Board responded that Development Certificates are not a duplication of benefit agreements since the certificate conditions focus on mitigation of significant adverse impacts, not on benefits.
- There was discussion on the importance of Indigenous engagement throughout assessments to help ensure Ministerial decisions critically consider the knowledge and needs of communities. The Review Board clarified that they lead the development of Development Certificates, based on measures flowing from an environmental assessment.

Updates Related to the Critical Minerals Strategy

With the recent launch of the CMS, NRCan and CIRNAC presented on the components of the CMS, including the Northern Regulatory Initiative. NRCan also provided information on the Regional Energy and Resource Tables that they are leading across Canada as another forum to engage each province and territory. The GNWT presented on their work related to the Critical Minerals Action Plan, which will inform the design of an NWT Mineral Development Strategy and support the federal CMS. Brief descriptions are provided below on key elements and next steps. These presentations are available in Annex B, a separate PDF that is available on the Mackenzie Valley Land and Water Board’s website.

Government of Canada

CMS and Regional Energy and Resources Tables – Natural Resources Canada

NRCan presented on the CMS, which is designed to increase the responsibly sourced supply of critical minerals to grow domestic and global value chains for the green and digital economy. This vision is guided by five core objectives and will be implemented through six focus areas. NRCan identified its Regional Energy and Resource Tables as a forum to identify and accelerate the highest potential opportunities related to sustainable job creation and economic growth in each of the three territories in collaboration with territorial, Indigenous, and federal partners. NRCan has initiated engagement with the GNWT and expressed intentions to engage with Indigenous partners in the Regional Energy and Resources Tables to decide on priorities and develop work plans. NRCan will also pursue engagement with labour and industry groups. NRCan will also continue collaborating and coordinating with CIRNAC on discussions related to the Northern Regulatory Initiative to support common objectives.

CMS and Northern Regulatory Initiative – Crown-Indigenous Relations and Northern Affairs Canada

CIRNAC is leading the Northern Regulatory Initiative component of the CMS, which is designed to support efficient, effective, and inclusive northern regulatory regimes. The initiative includes five pillars:

1. **Dialogue** and action among Indigenous partners, territorial governments, industry representatives, and northern co-management regulatory boards on common regulatory objectives,
2. Development of **regional studies** across territories to better inform future development projects,
3. Facilitation of the finalization of **land use plans** across the North,
4. Support for all stages of **impact assessment** to ensure fulsome and meaningful participation and accommodation, and
5. A **Crown Consultation** review/assessment to ensure a coordinated approach with territorial governments at the outset of project proposals.

The Northern Regulatory Initiative support is likely to take different forms in each of the territories according to the needs of diverse governments, partners, rights holders, and stakeholders operating in one or more of these distinct regulatory regimes. Ongoing dialogues to collaboratively identify and discuss operational and regulatory priorities and opportunities for improvement is expected to be important to the Northern Regulatory Initiative in each of the territories. To leverage ongoing work and relationships developed through this table, MVOD may serve as an ideal forum to have these discussions and meet on a regular basis (in-person and virtually each year) to advance work on the Initiative. Next steps include identifying a path forward, which will be informed by the discussion summarized in the *MVOD Plus: Operational and Regulatory Dialogues* section of this report.

Government of the Northwest Territories

Critical Minerals Action Plan

The GNWT is drafting a Critical Minerals Action Plan that sets high level goals and actions and will inform the development of a refreshed NWT Mineral Development Strategy. Proposed pillars of the action plan include:

- Awareness and Engagement on Critical Minerals in the NWT
- Marketing and Promoting the NWT's Critical Minerals Potential
- NWT Critical Minerals – What Are They and Where Are They?
- Critical Mineral Partnerships and Collaboration

Next steps include finalizing a draft outline and pillars, engaging with partners and stakeholders, and drafting content based on engagement. Other associated work involves developing a performance management framework to measure progress, ensuring communications and launch are ready for summer 2023, structuring the plan as a living document, and coordinating efforts with the Government of Canada to ensure the Action Plan is aligned with the federal CMS.

Discussion

There was wide agreement among participants that collaborative processes between Indigenous, territorial, and federal governments and organizations is needed. Modern Treaty commitments and the rights and interests of Indigenous Peoples must be fundamental to policy and strategy development rather than merely being listed as a priority. Questions and concerns were also raised surrounding two of the CMS's investment areas (public geoscience and the exploration tax credit). The discussion is summarized below.

- Participants expressed that the implementation of the CMS and other related initiatives such as the Regional Energy and Resource Tables must reflect and respect the Mackenzie Valley resource co-management system. Joint work between the Government of Canada and Government of the Northwest Territories on the Tables needs to include Indigenous governments and organizations from the beginning. This could be done through engaging the Intergovernmental Council, which includes representatives of the GNWT and Indigenous signatories to the NWT Lands and Resources Devolution Agreement. In addition, participants suggested that CIRNAC plays an important role in providing guidance on and support for relationship building in the Mackenzie Valley.
 - The GNWT provided information on the CMS and Regional Energy and Resource Tables to the Council of Leaders Secretariat, which may also be an important forum to engage on these topics and to discuss collaborative approaches.
- There was a question on funding for geoscience work and what that entails.
 - NRCan indicated they are trying to change the way information is collected by broadening the dataset and going beyond a project specific approach to data collection.
- There was concern about the tax credit for exploration, specifically that a 30% national tax credit is less likely to benefit northern investment where the costs of doing business are higher. A participant expressed that a separate north-of-60 tax credit could be more useful.

- A participant recommended that frequent transfers of exploration sites between companies must ensure that commitments made by one company in an agreement with an Indigenous government or organization are also made by any subsequent companies.
- A participant noted that the NWT is a “sleeping giant” that has just been woken in recognition of the critical minerals the region has to offer.
- There was agreement that Modern Treaties and Indigenous rights is not just a priority on the list but must be fundamental to the entire CMS.

MVOD Plus: Operational and Regulatory Dialogues

The purpose of this discussion was to understand the objectives, topics, and desired outcomes for regulatory dialogues. To facilitate this discussion, participants discussed the following questions in breakout groups and reconvened in plenary to discuss.

Priority Regulatory Topics	Shaping Success for Regulatory Dialogues	Opportunities and Levers
<ul style="list-style-type: none"> • What improvements are needed to the regulatory regime in the NWT? • What are the priority regulatory themes/topics that should be explored to support improvements to the NWT regulatory regime? 	<ul style="list-style-type: none"> • What would success look like for these dialogues? What does success not look like? • Is there a different approach to consider? If so, what approach? • Who needs to be at the table? 	<ul style="list-style-type: none"> • What other levers / mechanisms can we use to address important regulatory changes?

Priority Regulatory Topics

The section below summarizes small breakout group ideas for regulatory improvements and priority topics.

- **Education and awareness:** Providing educational opportunities to community reviewers and members, including youth and elders, through training and capacity building about the regulatory regime. More support is needed to aid exploration proponents, especially small-scale exploration proponents, in filling out applications.
- **Strategic improvements:** Recognizing what has been done and being cautious about regulatory improvements to ensure they have real value to reduce bureaucratic processes.
- **Efficiency:** Being dynamic and flexible to navigate changes in (smaller) projects, avoiding duplication.
- **Collaborative work on application requirements:** Working with the Boards prior to application submissions to ensure engagement has already been done at an early stage.
- **Transparency:** Being transparent in assessment processes and outcomes.

Priority topics

- **Settling land claims and completion of land use plans:** Land claims and land use plans are fundamental to accelerate regulatory approval of critical minerals projects.
- **Crown Consultation:** Clarity on Crown Consultation and roles / responsibilities of government in consultation (potentially different roles based on context) is needed.
- **Managing capacity in engagement:** There is consultation and engagement overload. Early engagement is a priority and should be scaled to the project, measuring quality rather than the quantity of engagement. Communication is important, especially when work has been completed on Indigenous traditional knowledge. Indigenous governments and organizations are overwhelmed, and it is difficult to respond to multiple projects while respecting legislative timelines.
- **Resources for participation:** Resources and additional capacity are required to understand and participate in regulatory processes and pre-engagement outside of regulatory processes, including Environmental Assessments, training and capacity building, and the gathering of Indigenous and traditional knowledge and Western scientific knowledge.
- **Define small scale exploration:** There is a need to collaboratively define the activities, thresholds, and requirements, and to provide education and awareness, on early-stage exploration.
- **Scope of regulatory regime:** There is desire for the regulatory regime to better consider and assess the cumulative effects of activities that occur outside the Mackenzie Valley but impact the region.

Shaping Success for Regulatory Dialogues

Participants discussed in a breakout group session what success looks like for regulatory dialogues, what success does not look like, different approaches that could be taken, and who needs to be at the table. Small groups reported back in plenary, summarized below.

Elements of success

What does success look like?

- **Organized approach to engaging the right people:** forming working groups for specific purposes that include the right people and then discussing in a plenary forum with all parties to avoid duplication of efforts and ensure voices are heard. Ensuring consistency in participation is challenging but compensation could be an important factor in maintaining participation.
- **Complete ongoing work and demonstrate success:** working together to develop a common understanding of issues and outcomes, and advance work with clear objectives and

What does success not look like?

- **No change:** actions are not taken to make any improvements to recurring issues.
- **No exploration:** exploration activities are inhibited/stalled.
- **No dialogue:** dialogues are not advanced.
- **Overburdening ourselves:** Taking on too much and not being respectful of each other.

communication of progress to enable scaling up work.

- **Effective communication:** developing various approaches to improve communication among parties to be effective and efficient.
- **Measuring success:** separating outcomes and values to ensure action items are completed. Reflect regularly on what is working well and what is not.
- **Building capacity:** including tasks in work plans that build capacity, such as developing a common understanding of the regulatory regime (e.g., MVRMA in a day workshops).
- **Relationship building:** remembering that everyone is human and encouraging proactive, collaborative work.

Different approaches

Participants were asked if there are other ways of working and communicating that could make regulatory dialogues more effective. Below are some ideas participants mentioned.

- Developing different approaches to communications.
- Leading with strategic discussions that guide operational work.
- Refining our understanding of regional differences, even within the NWT.

Who needs to be at the table?

Participants provided several ideas on representation of perspectives, summarized below.

- Guide the who by the what through aligning the purpose of the discussion with the right people.
- Ensure continuity in representation.
- Include diverse perspectives.

Opportunities and Levers

Opportunities identified by participants (through Mentimeter, an interactive presentation software) include:

- Provide participation funding.
- Ensure there is more communication and advanced notice, especially regarding the purpose of the forum.
- Combine the forum/meetings with education opportunities/training.
- Enhance community capacity to participate meaningfully.
- Make adjustments to interpretation of terms as definitions evolve.
- Roll back “regulatory creep.”

- Provide information on the mineral exploration cycle, techniques, and regulatory requirements.
- Given there are multiple venues in place, clarify where to raise concerns, track concerns that have been raised, and identify which concerns have been considered and the status of addressing concerns.
- Create pre-approved management plans as a starting point for proponents.
- Provide open and transparent sessions with public, industry, and Indigenous Governments as equal partners (government-to-government process) to address regulatory changes.
- Keep discussions small and focused.

Participants identified a range of forums/levers that could facilitate discussion, provide guidance, support communications, and reduce duplication of effort and process. Responses provided through the Mentimeter polling tool are provided below.

Existing Forums

- Intergovernmental Council and an equivalent at the federal level to discuss legislation, regulation and policy
- Pan-Territorial Board Forum
- NWT Council of Leaders
- OECD Mining and Communities Initiative

Existing Guidance and Strategy

- NWT Environmental Audit
- NWT Mineral Strategy
- Critical Minerals Strategy
- Arctic and Northern Policy Framework

Legislation/Regulation/Policy

- MVRMA Amendment process review (section 3.18)
- Legislative amendments and regulation updates/review, regular review cycles to adapt to changes in context (e.g., technology, climate change etc.)
- Land use plans
- Judicial comparisons
- Submissions to next Legislative Assembly

Communication Channels

- Newsletters (digital)

Opportunities for participation

- Strategic plans and collaborative project planning, including fixing only what is broken
- Public review opportunities for proposed regulatory initiatives, discussion papers etc.

- Focus action groups

Relationships with Indigenous Peoples

- Partnerships with Indigenous Government
- Consultation
- More Indigenous positions in industry and government

Closing Reflections and Next Steps

Participants reflected on the workshop and provided some closing reflections:

- This work is a good opportunity to focus on and advance key issues and to help identify what model can lead to success and be used to address other issues. There is operational work that still needs to be completed (the Light Work Plans).
- The context is different than when the MVRMA was created. Indigenous Governments have more capacity now so there is opportunity for more collaborative and collective action.
- Land use planning will help address projects undergoing an EA. We need these fundamental pieces to guide where development can and cannot happen.
- Exploration activities need to be communicated to develop understanding, e.g., taking people out to sites. Inspectors have the best understanding of activities that entail exploration.
- The Mackenzie Valley has a unique regulatory system that is globally renowned, though there is still room to improve the regulatory process by taking a holistic and collaborative approach.
- Some Indigenous communities are playing catch up to this regulatory system as they have been historically left out. They are appreciative of being included and hope to continue having diverse perspectives at the table.
- Strong leadership is required to focus on the small wins and build momentum.

Next Steps

The MVOD Organizing Committee will reflect on the results of this workshop and develop a path forward on addressing priority topic areas with the right people at the table. A touch-base meeting will be planned to update and seek feedback from participants on this process. There is an opportunity to connect to and leverage other forums that have responsibility for issues raised at MVOD.

Annex A: Participant List

Indigenous Governments and Organizations

- Łutsel K'e Dene First Nation
- K'atl'odeeche First Nation
- Deninu Kų́ę First Nation
- Gwich'in Tribal Council
- Northwest Territory Métis Nation
- Fort Smith Métis Council
- Fort Resolution Métis Government
- Tłıchq Government
- Yellowknives Dene First Nation

Government of the Northwest Territories

- Industry, Tourism and Investment
- Executive and Indigenous Affairs
- Lands
- Environment and Natural Resources

Industry

- Aurora Geosciences
- NWT & Nunavut Chamber of Mines
- M.Y.B Construction
- NorZinc
- WSP
- Vital Metals
- Lockett Consultation Services Inc.
- PinePoint Mining Limited
- Fortune Minerals
- Arctic Canadian Diamond Company Ltd
- DeBeers
- Rio Tinto
- Tłıchq Investment Corporation & Group of Companies

Government of Canada

- Crown-Indigenous Relations and Northern Affairs Canada
- Natural Resources Canada
- Environment and Climate Change Canada
- Department of Fisheries and Oceans
- Canadian Northern Development Agency
- Department of National Defense

Boards

- Mackenzie Valley Environmental Impact Review Board
- Mackenzie Valley Land and Water Board
- Wek'èezhìi Land and Water Board



MVOD Plus Summary Report - ANNEX B

Presentations

April 14, 2023





Mackenzie Valley Operational Dialogue

Light Workplan 1 – Application Template

LWP1 Background

- Goal of creating a 'template' or tool for small-scale exploration applications
- Further discussion led to conclusion that a template is not needed
- Shift from development of product to information gathering dialogue on administrative burdens
- Technical working group identified



Technical Workshop

- January 2023 session to discuss and identify potential process areas of improvement
- Output: comprehensive list of identified improvement areas and potential solutions
- Legislative and Regulation changes out of scope for this light work plan
 - Administrative and operational bottleneck improvements only



Identified Issues

- Water Use – Identified Issues
 - Water license requirements, interpretations of use, and risk to small scale operators.
 - Companies applying under ‘Mining and Milling’ when in fact their activity should be applied for under ‘Miscellaneous’
- Water Use – Improvement Opportunities
 - Communications to industry re Mining and Milling vs Miscellaneous
 - Communicate updated interpretations as early as possible (boards)



Identified Issues

- Indigenous Engagement – Identified Issues
 - List of engagement requirements too long and contacts often outdated
 - Lack of clarity around engagement process (how, when, who?)
- Indigenous Engagement – Improvement Opportunities
 - Keep regularly updated IGO contact information with key groups for in person engagement requirements
 - Create engagement process or best practice document



Identified Issues

- Management Plans – Identified Issues
 - Perceived as significant work and a hurdle during the application process
- Management Plans – Improvement Opportunities
 - Potential to create templates for industry
 - Can management plan requirements be included in the terms of a permit or license?



Identified Issues

- Small Scale Project Definition – Identified Issues
 - Current regulatory regime makes it difficult to operate on a ‘small scale’ without triggering regulations
 - Perceived that threshold triggers are dropping lower over time
 - What is a ‘small-scale’ project?
- Small Scale Project Definition – Improvement Opportunities
 - Is it possible to create a small-scale project definition with specifications?
 - Show a direct comparison of a small scale project in early 2000s vs now



Next Steps

- Follow up engagement with technical working group (and others) to create potential solutions to identified problem areas
- Communications products



Land and Water Boards of the Mackenzie Valley

Background on Water Use

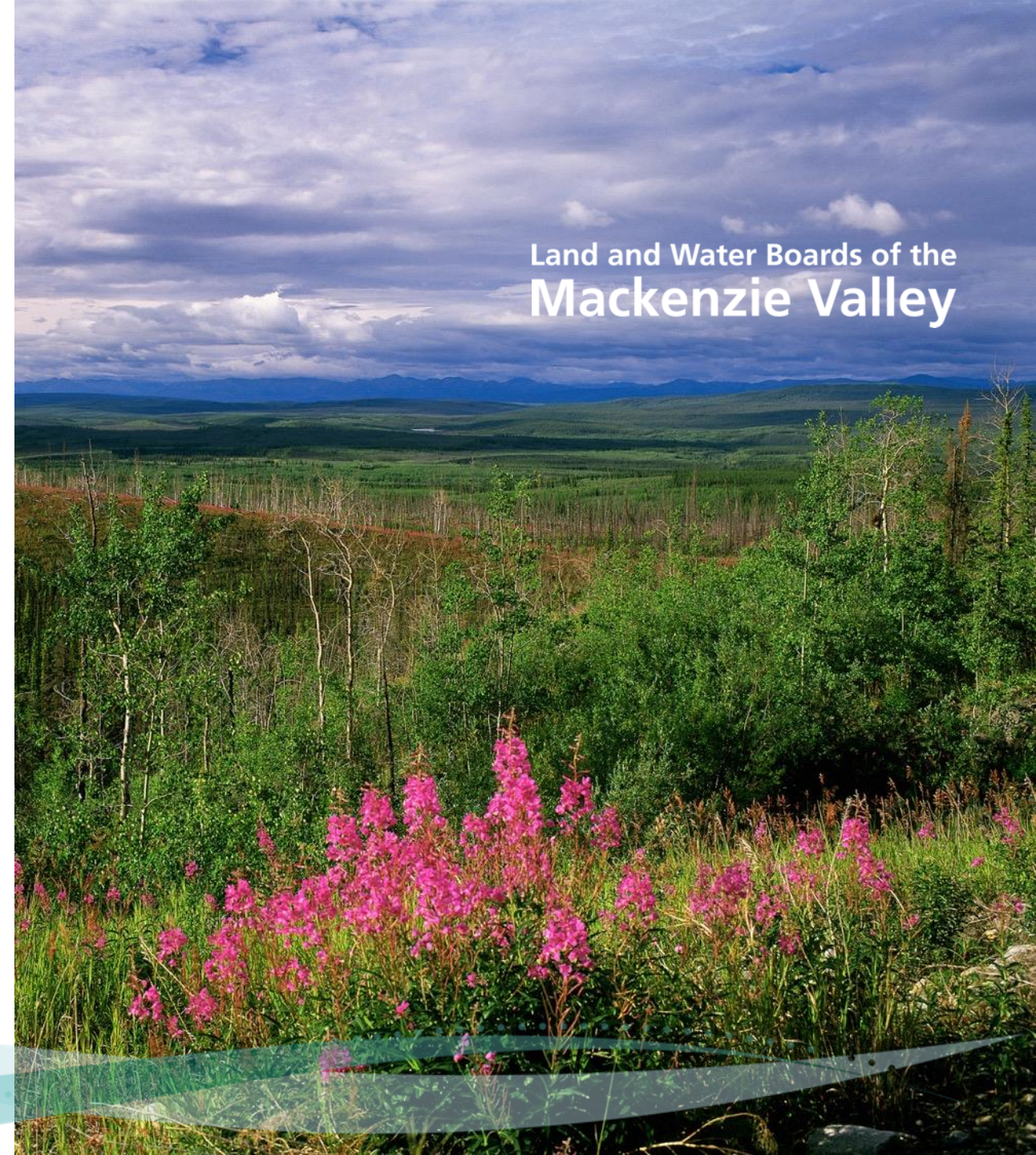


MVOD – February 14-15, 2023

Background

- LWBs issued a reference bulletin on [Water Use](#) in June 2020
- The bulletin sets out what constitutes water use in the context of water licensing in the Mackenzie Valley.
- Recently, questions have been asked about what is being counted as water use.

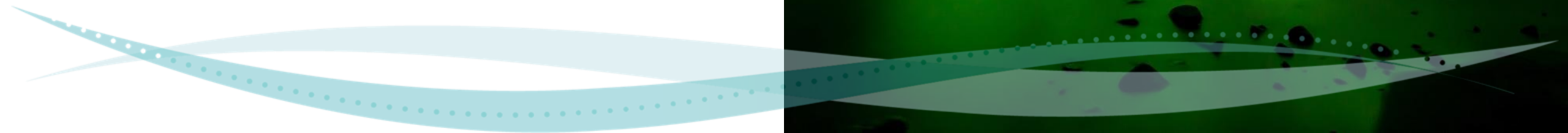
Land and Water Boards of the
Mackenzie Valley



Key Points on Development of the Water Use Bulletin

- Based on LWBs' understanding of very broad definition of 'water use,' and review of the legislation and other available information.
- Per the *Waters Act*:
 - 'use' in relation to waters, means a direct or indirect use of any kind, including, but not limited to,
 - (a) a diversion or obstruction of waters,
 - (b) an alteration of the flow of waters, and
 - (c) an alteration of the bed or banks of a river, stream, lake or other body of water, whether or not the body of water is seasonal,but does not include a use connected with shipping activities that are governed by the *Canada Shipping Act, 2001*

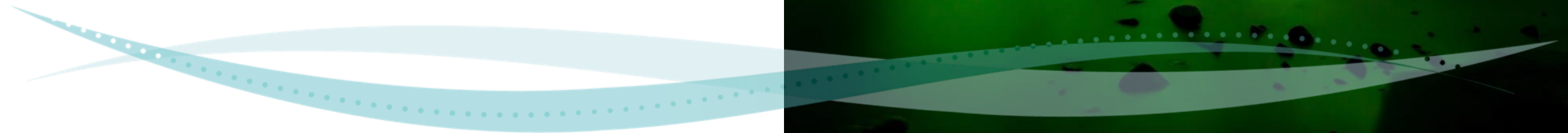
Land and Water Boards of the
Mackenzie Valley



Key Points on Development of the Water Use Bulletin (cont'd)

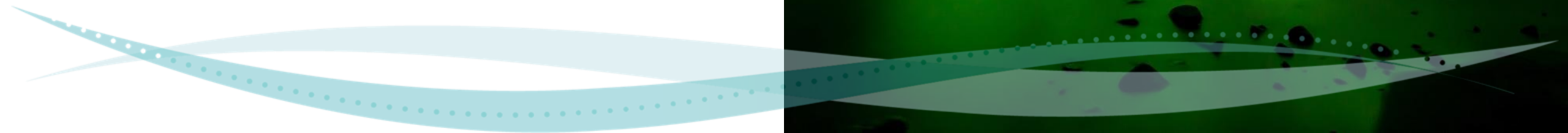
- Bulletin intended to address relatively recently identified gap in the LWBs' regulation of water use by clarifying what is considered 'water use'
- Initially related primarily to water used for drilling
 - continuous circulation of fresh water to keep lines and pumps open was not previously reported, so the LWBs were not aware of this water use
- Ice bridge water use later identified as another water use that may not have been considered correctly

Land and Water Boards of the
Mackenzie Valley



Key Points on Development of the Water Use Bulletin (cont'd)

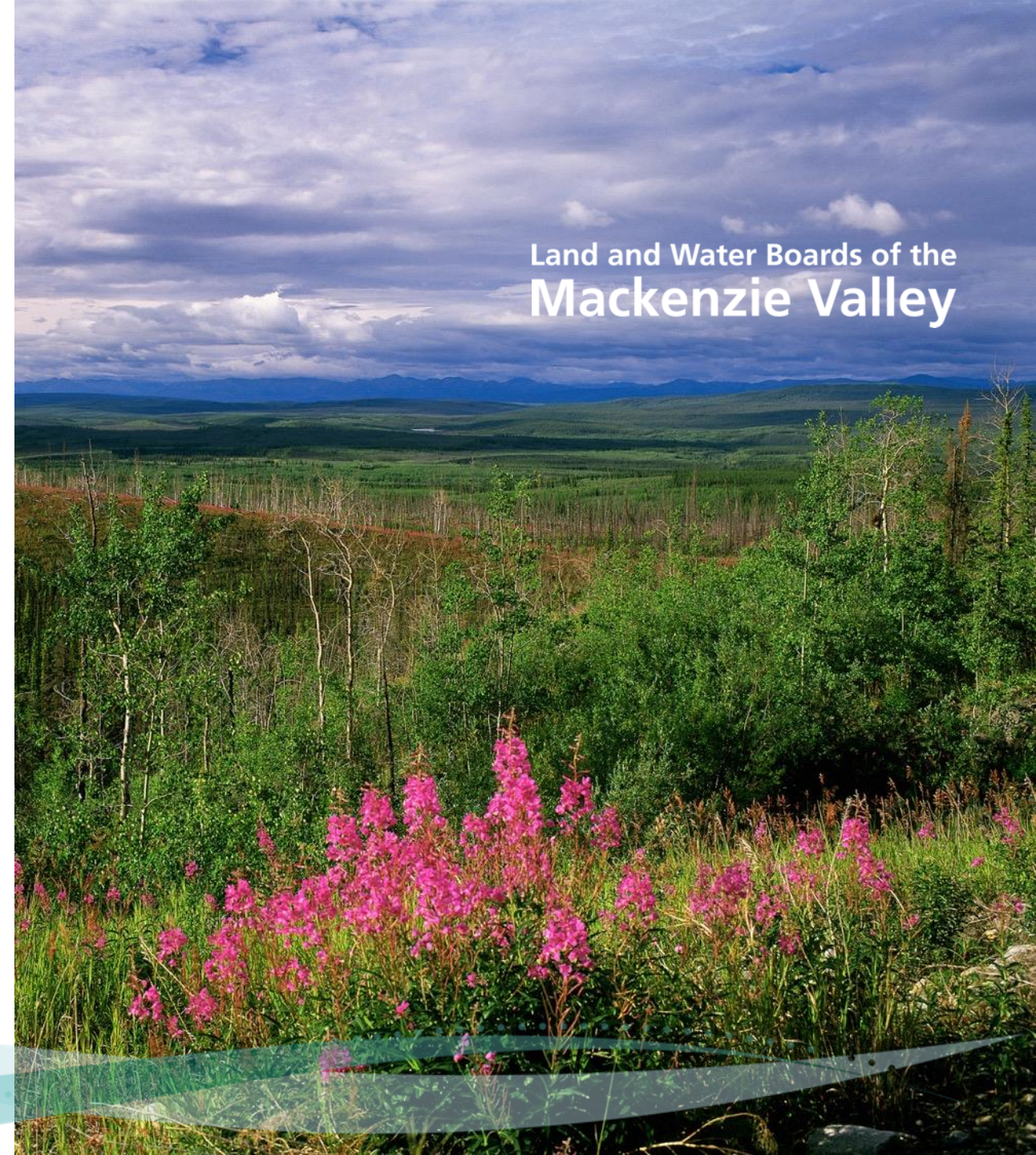
- The Reference Bulletin is not in conflict with the Regulations, but the Regulations are unclear, so differing interpretations are possible.
- As far as we know there is very limited evidence available regarding the original intent of the ice bridge exclusion.



Key Reasoning for LWBs' Interpretation

- Unlike oil and gas exploration, there is no Schedule in the Regulations that specifically includes mineral exploration, so unclear which class of licensing criteria apply.
- LWBs recently moved mineral exploration into Miscellaneous class by process of elimination only (Note: previously, Industrial criteria were applied)
- The exclusion for ice-bridge water use is listed specifically in the direct-use criteria in the Miscellaneous Schedule, not in any of the indirect use criteria (i.e., not identified as a diversion)

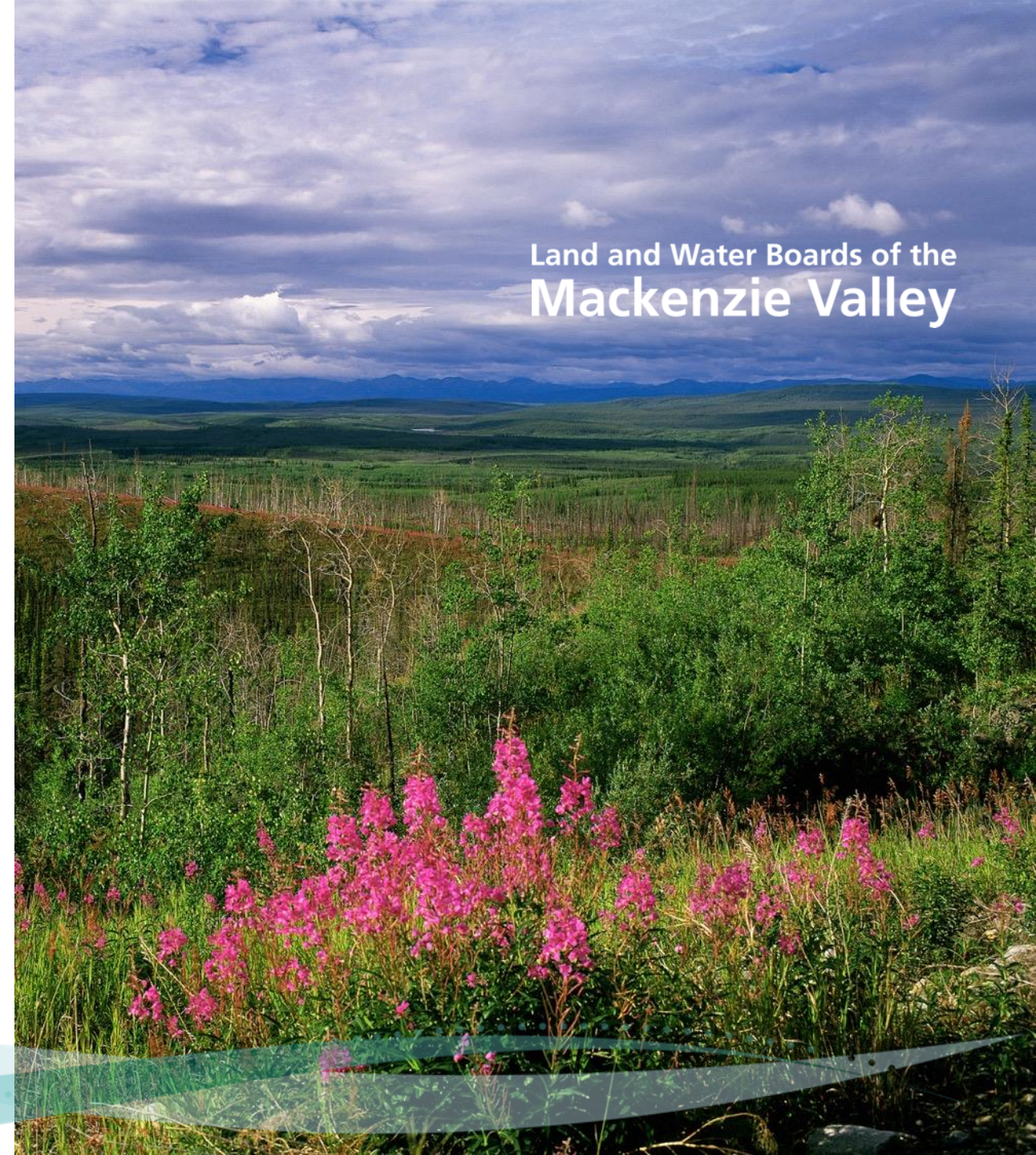
Land and Water Boards of the
Mackenzie Valley



Key Reasoning for LWBs' Interpretation (cont'd)

- In the Miscellaneous Schedule, ice bridge water use is excluded only in the 'no licence required' column, not the columns for type A or B licences
- Ice bridge water use exception is not set out in the same way as other exceptions in the Schedules, so does not appear to be broadly applicable:
 - Other licensing exceptions that apply to all classes of licences are specifically listed in each Schedule – for example, diversion of a watercourse less than 2 m wide, off-stream storage of less than 2,500 m³ of water.
 - Asterisk that specifies an exemption for direct water use from an artificial reservoir – is included in all Schedules (except power undertakings) and is specifically included in each column it is meant to apply to (i.e., no licence required, type B, and/or type A) or excluded where it is not (e.g., type A mining and milling).

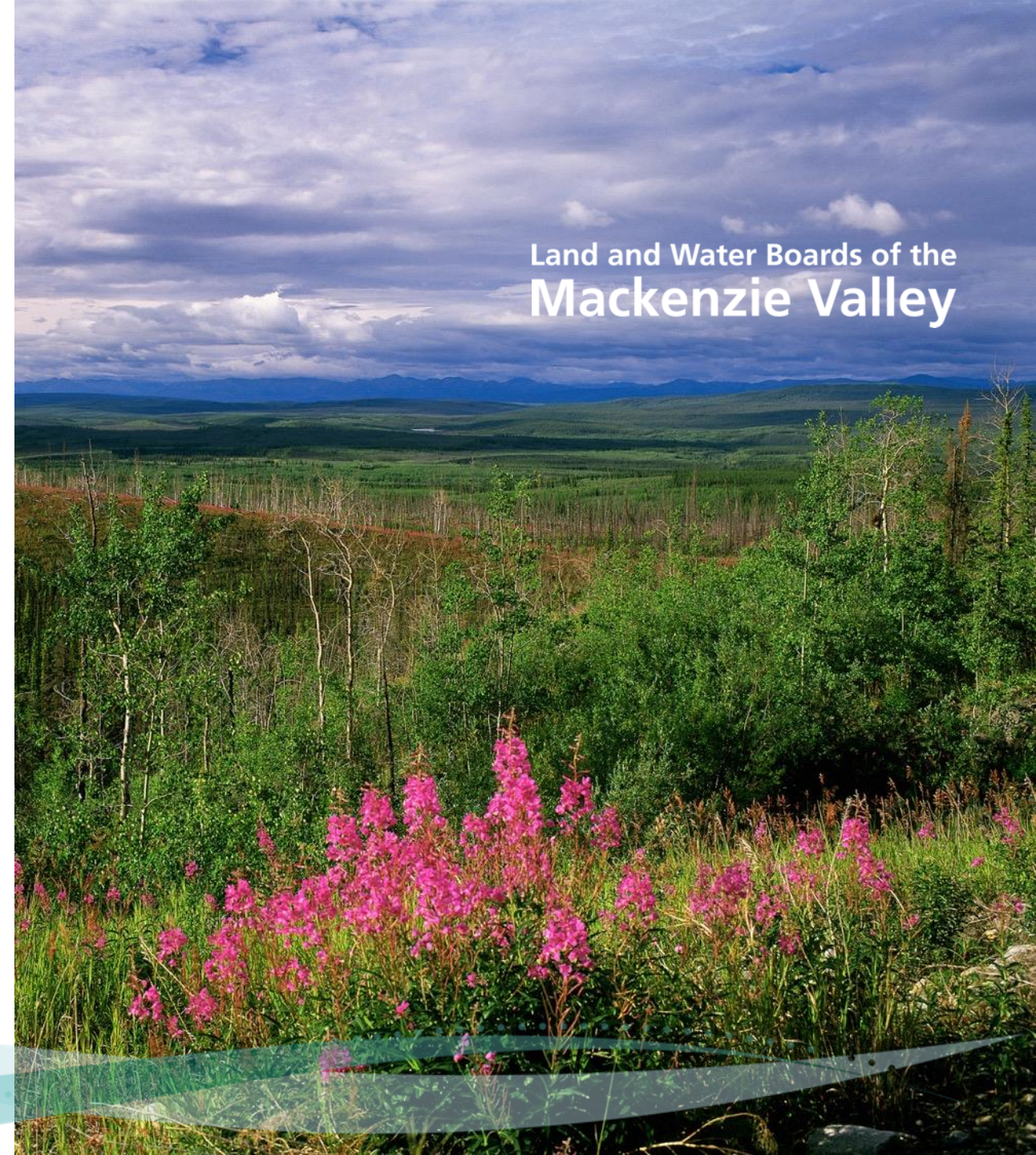
Land and Water Boards of the
Mackenzie Valley



Key Reasoning for LWBs' Interpretation (cont'd)

- Other below-threshold water uses in any Schedule are not excluded once a project requires a licence (e.g., 100 m³/day is not subtracted from the total water use for a Miscellaneous licence that uses between 100 and 300 m³/day and requires a type B licence).
 - “Once you’re in, you’re in”

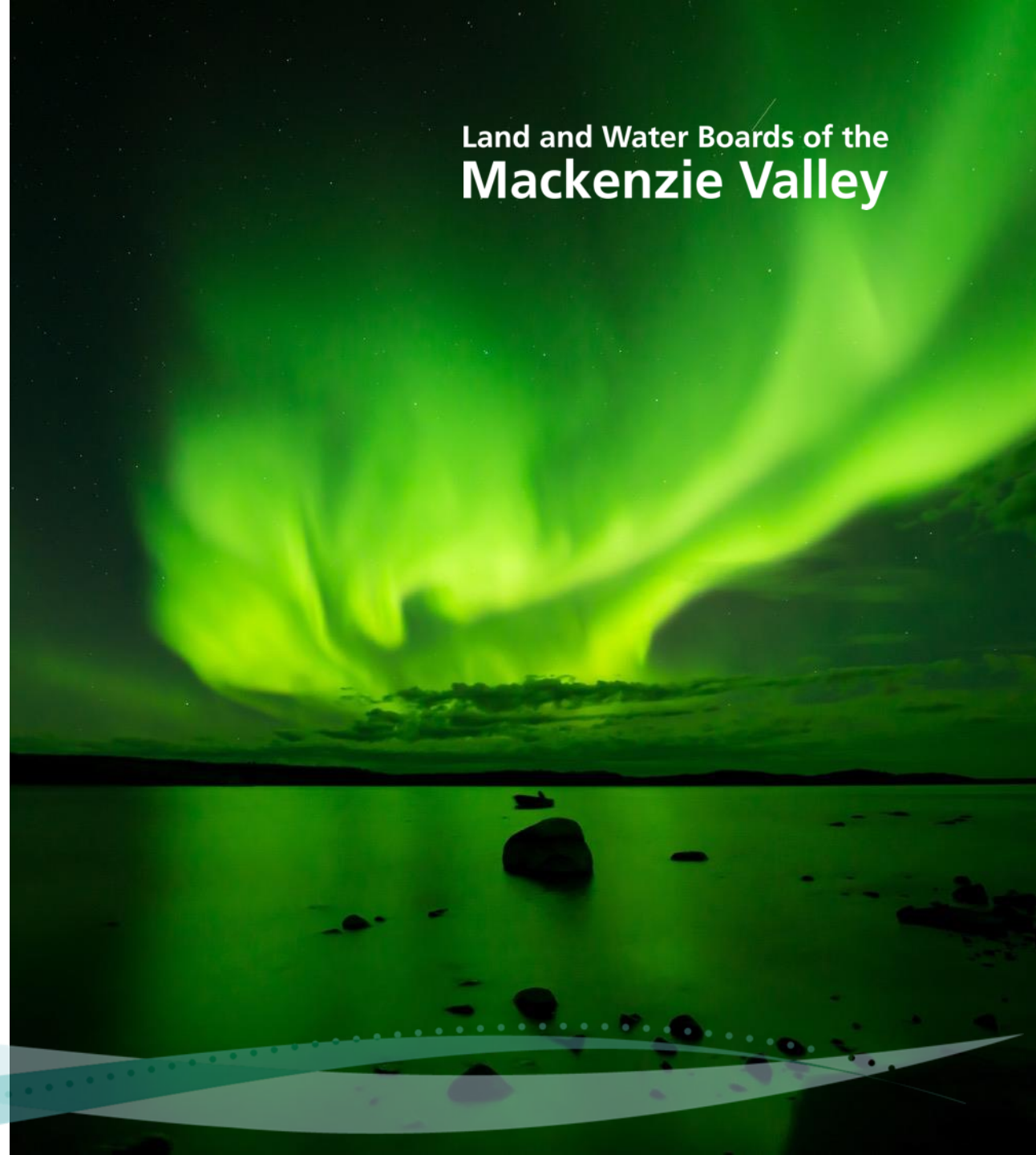
Land and Water Boards of the
Mackenzie Valley



Moving Forward

- LWBs hear the concerns expressed by various parties and are aware that some applicants are receiving conflicting advice (e.g., from Inspectors)
- LWBs are taking the concerns seriously and are reviewing possible avenues for obtaining clarity on these interpretation questions
- One possible option is to initiate a public process similar to the one conducted for land use permit extensions
- LWBs certainly wish to continue discussions with parties to the MVOD on this topic, and others as needed.
- Until this matter is resolved, the Water Use Reference Bulletin remains in effect
 - When a project requires a licence for water use, water use for ice bridges (and any other below-threshold water uses) will be included in the authorized total water use volume for the project

Land and Water Boards of the
Mackenzie Valley





Mackenzie Valley Operational Dialogue

Light Workplan 2 – Education and Outreach

ITI Led Outreach Programs

- Resources and Energy Development Information (REDI)
- Mining Matters
- Mining North Works
- Prospector Training
- Mining Week



REDI

- Launched in 2017, the REDI initiative takes the form of an information tradeshow, traveling to communities across the NWT.
- These events work to equip NWT residents with the information and understanding needed to assess the benefits and risks associated with resource development.
- The trade show style format, with several different booths, provides participants with ease of access to factual information and opportunity for engagement with regulators, scientists and administrators delivering resource programs and regulating resource projects.
- The goal is to facilitate one-on-one conversations between residents and subject matter experts working in fields related to resource and energy development.
- Since inception REDI has visited Inuvik, Yellowknife, Fort Simpson, Fort Smith, Norman Wells and Hay River.
- No events were held during the COVID-19 pandemic, with the initiative resuming in October 2022 in Inuvik.
- Planning is underway for future events in 2023.



Mining Matters

- A Non-profit organization delivering factual hands-on educational programming focused on geoscience and the non-renewable resource industry to students across Canada.
- GNWT has been partnering with Mining Matters since 2016 to deliver their programs across the NWT. These programs have been very well-received by NWT school boards, and there is ongoing support to have these programs continued and expanded in the NWT.
- During the COVID-19 pandemic, Mining Matters began to shift their focus to methods of virtual workshop delivery, greatly increasing their reach.
- Through their one-hour virtual workshops in the NWT, Mining Matters has reached over 900 students and 50 teachers to date, with up to 17 more workshops available to be scheduled in the spring of 2023.



Mining North Works

- Partnership initiative: GNWT, Government of Nunavut, and NWT & Nunavut Chamber of Mines
- Objective: Increase public support, participation and knowledge of benefits from the development of our mineral resources
 - Improve well-being and self-reliance through participation in the minerals industry
 - Bring awareness of the varied career opportunities through education, training, etc.
- Communication through MNW website, printed/virtual products, education and professional development delivery, northern conferences and tradeshow
- Pan-Territorial approach



Prospector Training

- The Prospectors Training Course was developed and implemented in 2015 under the Mineral Development Strategy .
- The course comprises of a 4-day course that is open to any NWT residents. Current course content includes:
 - How to prospect,
 - Claim staking,
 - Assessment regulations,
 - Marketing yourself and your properties,
 - Basic geology, and
 - The exploration cycle.
- 15 courses have been delivered since inception with 232 registrants. Original delivery method was in person however, In last few years, the program moved to an online format, which has allowed increased participation from individuals in all regions of the territory in the course.
- Next course will be offered March 18 &19 and March 25 & 26, 2023



Mining Week

NWT Mining Week celebrates the Northwest Territories rich mineral resources history and the many opportunities and benefits the industry offers.

Activities included in 2022:

- Activity Book for school age children (Kindergarten – Grade 12) with opportunity to
- Rock Walks hosted by the NWT Geological Survey
- NWT Geological Survey Booth at the Farmers Market
- Included various on-line activities, including videos and social media posts highlighting several aspects of the mineral resources industry.
- On-line videos feature a Rock Walk with Landen Powell, Meet a Prospector with Walt Humphries, and some videos that showcase the importance of mining in the NWT.



Light Work Plan 4

COMMUNICATION STRATEGY

WHAT WE HEARD

Recommendations from the NWT Environment Audit, industry reports, previous MVOD workshops, and other partner submissions indicate there is a need to address:

- Collaboration and capacity
- Engagement and consultation
- Certainty, confidence and transparency in the system



DEVELOPMENT OF LWP 4

Lead: GOC (draft/finalize) Team: GNWT, LWBs, Industry, IGOs (review/provide comments)

Objective: Draft a communication strategy that clarifies the “Dialogue-First” approach to take, when and how partners will be kept informed (e.g. access to materials/reports, opportunities to provide updates on regulatory initiatives and discuss LWPs), and define roles/responsibilities

Timeline

- Draft Communication Plan: SUMMER/FALL 2022
- Incorporate feedback: WINTER 2023
- Implement: WINTER 2023

- Metric: Strategy is developed and implemented, and communication topics are tracked
- KPI: MVOD participants will be updated on regulatory initiatives on a regular basis and have the opportunity to provide feedback (and inform certain priorities)

WHAT IS IN THE COMMUNICATION STRATEGY?

- Defines the objectives and goals of MVOD, and the approach to advance these objectives and goals
 - LWPs to be co-developed and implemented based on MVOD priorities, scope, capacity and partner feedback
 - Opportunities to receive updates and provide feedback on LWPs as they progress
- Establishment and role* of an Organizing Committee (open to all)
 - Current members: GNWT, MVLWB, NWT & Nunavut Chamber of Mines, CIRNAC, CanNor
 - **Others continue to be welcome on the Organizing Committee**
 - Track initiatives, organize workshops, ensure progress on LWPs
 - Communicate updates and opportunities for feedback



*The Organizing Committee's role is coordination and logistics only, they do not make decisions on how and what MVOD focuses on

WHAT IS IN THE COMMUNICATION STRATEGY?

- Commitment to an informal dialogue approach on an “as-needed” basis
 - Partners are encouraged to reach out directly to others when a question or concern arises, especially if it is discreet or time-sensitive, and may request a dialogue session with relevant parties. Partners do not need to wait for scheduled workshops or meetings.
- Commitment to meet every 12-18 months to provide updates on LWPs and other regulatory initiatives, discuss new **operational** LWPs/priorities, and receive questions/feedback on **operational** regulatory initiatives. A touchstone meeting will be planned every 6-8 months.



WHERE TO FIND MVOD INFORMATION?

All MVOD-related material will be published to the Mackenzie Valley Land and Water Board website, under “External Initiatives.”

This will include:

- MVOD Workshop/touch-base reports and presentations
- MVOD Progress Tracker – priority topics identified by partners, external initiatives, and audit regulatory items
- LWPs

Workshop and meeting reports will be uploaded to the MVLWB website as soon as available. All other ongoing tracked information will be updated and uploaded to the website prior to MVOD workshops/touch-base meetings.

Resources ▾ EVENTS Media ▾ Cal

Acts and Regulations

Policy Directions from the Minister

Policies and Guidelines

Resources for Municipalities

Maps

Rules of Procedure

Reference Bulletins

External Correspondence

External Initiatives

Learning Materials



CURRENT STATUS

Status:

- Materials from previous Workshops uploaded to the MVLWB site
- LWP information will be uploaded to MVLWB site following workshop
- MVOD Initiative Tracker will be uploaded to MVLWB site following workshop
- **DRAFT** Communications Strategy has been drafted and will be posted to the MVLWB site after workshop, pending updates from discussion
 - partners can review and provide comments at any point (contact info provided in the Communication Strategy) or raise questions/recommendations at MVOD sessions.

Next Steps:

- Feedback will be incorporated regularly
- **Note that the discussion to follow today and tomorrow will be considered and the Communication Strategy will be updated accordingly**



Mackenzie Valley
Review Board



Preparing for Development Certificates

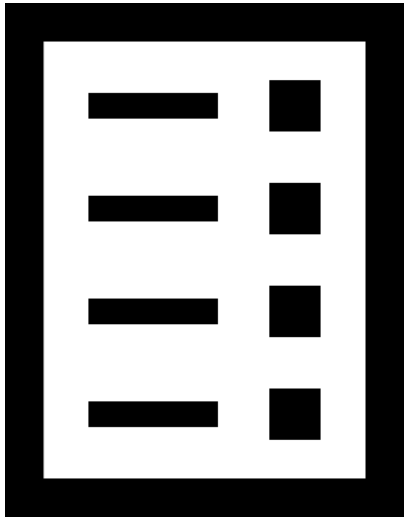
Mackenzie Valley Operational
Dialogue

February 10, 2023

Mark Cliffe-Phillips, Executive Director



1. Outline



- Legal Framework
- Amending a Development Certificate
- How will this impact the Review Board's Process
- Benefits
- Review Board Readiness
- Next Steps



2. Legal Framework



part 5 of MVRMA sets out purpose and guiding principles of EA process and establishes Review Board as main instrument for EA processes



only describing provisions for EA

provisions for EIR are generally the same and are not included in the plain language summary document



General Provisions (MVRMA s117, 130 and 131)

- development certificates:
 - confirm that an EA has been completed
 - include any and all measures approved by the ministers in their final decision on the development
- developments cannot proceed without a development certificate
- developers must comply with conditions



General Provisions (MVRMA s117, 130 and 131)

- development certificate conditions:
 - must be incorporated into licences and permits for the development
 - do not supersede compliance with other legislation or regulation
- issuance and approval of development certificates must take place within 30 days of all required decisions



3. Amendments (s142.21)

development certificate conditions may be examined and amended, if required, if:

- the conditions are not achieving their intended purpose or are having effects that are significantly different from those anticipated at the time the certificate was issued;
- the circumstances relating to the development are significantly different from those anticipated at the time the certificate was issued; or
- technological developments or new information provides a more efficient method of achieving the intended purpose of the conditions.





Amendments (MVRMA s142.21)

- the Review Board conducts the examination after a request to the minister
- minister must decide on the Review Board's recommendations for new or amended development certificate conditions
- examination and decision processes must occur within specific time limits



Developments not carried out (MVRMA s142.23)

- development certificates expire within five years if the development has not started
- the development may not be carried out if the certificate has expired
- once a development starts, the certificate is valid for the life of project
- amendment processes do not change the expire date



Administration and enforcement (MVRMA s142.24-142.3)

- federal minister designates inspectors for verifying and promoting compliance with development certificate conditions
 - ideally, in coordination with related activities for land use permits and water licences
- inspectors can order developers to stop work or take mitigative action
- prohibitions, offences and punishment are described in MVRMA s 144.01-144.05
- administrative monetary penalties are described in part 5.1 of the MVRMA (also not in force)



4. Development certificates will not substantially change the EA process

- new provisions do not change the existing roles and responsibilities for the Review Board, government, developers, etc.
 - rather, they add responsibilities for issuing, amending and enforcing development certificates
- approved measures will become development certificate conditions, so the Review Board will continue to work towards creating EFFECTIVE measures



Development certificates will not substantially change the EA process

- Work will be required by Review Board and Regulators to coordinate the integration of development certificate conditions in to other authorizations
- Review Board will continue to offer step by step guidance on how to best participate in EA processes
 - this may include guidance on adjusting intervention recommendations, considering that approved measures will become development certificate conditions



5. Benefits to Development Certificates

- Possibility to amend is more timely than a new environmental assessment
- Conditions to operate can improve over time based on real life conditions and not depend on predictions
- Better adaptive management of a project through follow-up programs and monitoring
- Improved compliance and enforcement
- Home for “orphaned” measures



6. The Review Board is ready for development certificate provisions to come into force

- Review Board has been working to prepare for the coming into force of development certificate provisions since 2014
- action is required from Government
- Review Board is ready, and will continue to work to ensure a smooth transition to development certificates



7. Next Steps

- Action required by federal government to bring into force
- Develop templates for development certificates
- Work with government partners on future enforcement and compliance
- Continue to engage with other Boards, agencies and government departments that currently have project/development certificates
- Continue work on examining past measure effectiveness





Natural Resources
Canada

Ressources naturelles
Canada

Canada's Critical Minerals Strategy and Regional Energy and Resource Tables

February 15, 2023

Canada

Presentation Objectives

- Present an overview of the Canadian Critical Minerals Strategy
- Discuss critical minerals priorities in the North
- Provide information on the Regional Energy and Resource Tables and discuss workplan development



Canadian Critical Minerals Strategy

VISION STATEMENT

Canada's Critical Minerals Strategy will increase the responsibly sourced supply of critical minerals to grow domestic and global value chains for the green and digital economy

- Critical minerals are at the centre of the **green transition**, global supply chains and geopolitics, **reconciliation with Indigenous peoples** and **economic growth in Canada**.
- Developing Canada's critical minerals and associated value chains will support **economic growth and competitiveness**, including through the creation of high-quality and paying jobs for communities across the country.
- **The Canadian Critical Minerals Strategy is Canada's response to:**
 - Growing demand for minerals for our net-zero future and supporting the creation of jobs to sustain it;
 - Unstable supply chains that are driving up costs; and,
 - Destabilizing market influences

The Strategy has five core objectives:



1. Supporting **economic growth, competitiveness, and job creation**;



2. Promoting **climate action and environmental protection**;



3. Advancing **reconciliation with Indigenous peoples**;



4. Fostering **diverse and inclusive workforces and communities**; and,



5. Enhancing **global security and partnerships** with allies



Canadian Critical Minerals Strategy's Areas of Focus

The Canadian Critical Minerals Strategy has six areas of focus

Drive Research, Innovation and Exploration

Investment in exploration through enhanced geoscience data creation, research and analysis

Accelerate Project Development

Accelerate development of Canada's critical minerals mining, processing, component inputs, and recycling projects

Advance Reconciliation with Indigenous Peoples

Advance economic reconciliation, improve access to capital and meaningful participation in critical minerals projects

Grow a Diverse Workforce and Prosperous Communities

Promote the contribution of diverse workers to Canada's green energy transition as part of the critical minerals workforce

Build Sustainable Infrastructure

Build sustainable infrastructure to enable critical minerals development with benefits for local communities

Strengthen Global Leadership and Security

Develop more resilient global supply chains that are protected from market disruption, enhancing Canada's economic security



Investing in Critical Minerals Development

Budget 2022 proposes to provide up to **\$3.8 billion in support over eight years** to implement **Canada's first Critical Minerals Strategy**. This will create thousands of good jobs, grow our economy, and make Canada a vital part of the growing global critical minerals industry.

GLOBAL PARTNERSHIPS

\$70 million to promote Canadian mining leadership

RESEARCH AND DEVELOPMENT

\$144.4 million to support R&D of technologies to support critical mineral value chains

○—○



○—○

INFRASTRUCTURE

Up to \$1.5 billion for infrastructure investments that support critical mineral development

INDIGENOUS ENGAGEMENT AND CAPACITY

○—○



○—○

TAX CREDIT

A new 30% Critical Mineral Exploration Tax Credit

\$25 million for early engagement and capacity building ([Indigenous Natural Resources Partnerships Program](#))

REGULATORY SUPPORT

\$40 million to support northern regulatory processes (CIRNAC)

○—○



○—○

INNOVATIVE PROJECTS

\$1.5 billion to support manufacturing, processing, and recycling applications



○—○

PUBLIC GEOSCIENCE

\$79.2 million to help find the next generation of critical mineral deposits



Critical Minerals Opportunities in Canada's North

- Critical mineral projects are being explored and developed across Canada, including in the North.
 - Currently, the three northern Territories are home to **21 mining projects offering potential for extraction of 9 commodities** listed on Canada's critical minerals list.
- The launch of the Strategy presents an opportunity to discuss the priorities of Indigenous and Northern partners in this space, including (but not limited to):
 - Ensuring that Canada is meeting its **modern treaty obligations** and **respecting Indigenous rights** as we seek to advance critical mineral development;
 - Working together to enhance **regulatory processes** for critical mineral development;
 - Continuing efforts in **remediation and reclamation** for northern mines;
 - Facilitating **procurement and economic development opportunities, including ownership**, throughout the value chain; and,
 - Identifying and supporting **regional infrastructure development** that will have multi-user benefits.



Regional Energy and Resource Tables

- As Canada transitions to a **low carbon future**, our country possesses tremendous potential to be a highly competitive, prosperous leader in the net-zero economy.
- Recognizing the unique opportunities and challenges that exist in jurisdictions across Canada, Regional Energy and Resource Tables are being established in each province and territory to **enable all regions of Canada to seize the economic opportunities enabled by the energy transition.**
- NRCan will work jointly with each province and territory, in collaboration with Indigenous partners, to develop work plans that align resources and timelines and **better coordinate regulatory and permitting processes**, as well as enlisting the input and advice of business leaders, labour representatives and other relevant stakeholders.
- To support all of this work at the federal level, the Regional Tables are designed as a **whole-of-government initiative** led by Natural Resources Canada, and involving multiple federal institutions, including the Regional Development Agencies and the Canada Infrastructure Bank.

OBJECTIVES

- Identify and accelerate the highest potential growth opportunities in each region
- Transform the way we produce, transport, store and use energy to enable net-zero emissions
- Equip the workforce to participate in and benefit from the global shift to net-zero

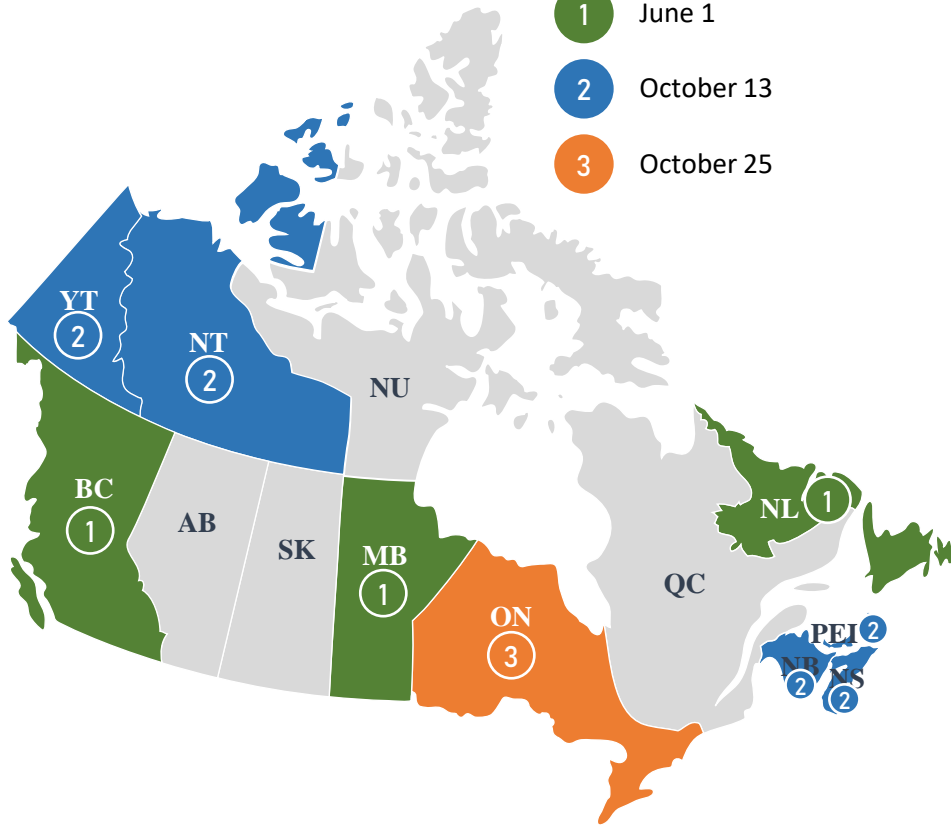


Regional Energy and Resource Tables

**Workplan Development timeframe:
Up to 6 months**

Launch dates

- 1 June 1
- 2 October 13
- 3 October 25



To **better align** actions, resources, timelines and regulatory approaches **between federal-provincial and territorial governments** to more effectively support joint priority areas:

- Identify the goals and objectives for each regional opportunity selected
- Articulate the challenges
- Lay out the specific collaborative actions required to overcome those challenges and accelerate the action needed to achieve the goals/objectives
- Seek input and integrate perspectives of Indigenous partners early in the process
- Actions could include:
 - Undertaking any necessary foundational science
 - Conducting workforce analyses in specific industries
 - Coordinating regulatory activities
 - Mapping out new electricity assets
- Outline the timeframes for actions

Key objective of Place-based Economic Strategies

To build consensus from a range of players around regionally significant opportunities and define longer-term pathways and interventions to build a prosperous net-zero economy

**Development timeframe:
12 to 18 months**



Natural Resources
Canada

Ressources naturelles
Canada

Canada

Next Steps

Critical Minerals Strategy

- **Continuing engagement with Indigenous** governments, organizations, and communities for the implementation of the Strategy.
 - The Strategy is intended to be forward-looking, long term, and iterative. What we have proposed is the foundation, with more to come as we build Canada's critical mineral supply chains.
- Collaborate with CIRNAC on northern regulatory discussions (including **\$40M for northern regulatory processes**).

Regional Tables

- Continue to engage with the NWT to **decide on priorities** and to develop a work plan over the next several months.
- Ensure that **Indigenous partners are engaged** and that **Indigenous perspectives are incorporated from the outset** of the process.
- Pursue engagement with labour and industry groups.

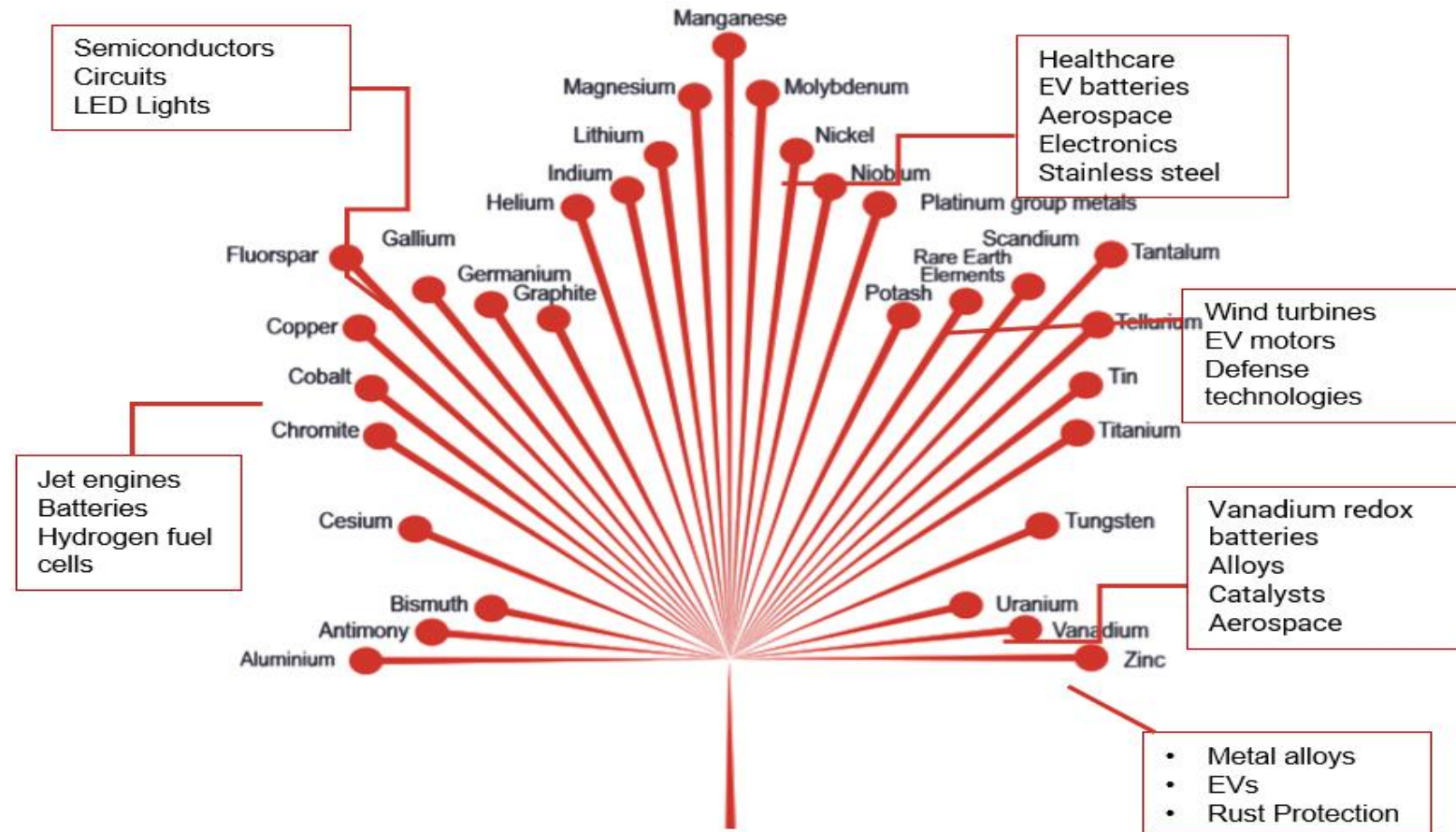


ANNEX



Canada's List of Critical Minerals

Canada has identified 31 minerals and metals considered essential for the sustainable economic success of Canada and its trading partners. The Canadian industry already produces 21 of the 31 critical minerals on the list, with potential for further resource development.





Crown-Indigenous Relations
and Northern Affairs Canada

Relations Couronne-Autochtones
et Affaires du Nord Canada

Northern Regulatory Initiative

MVOD+ Workshop

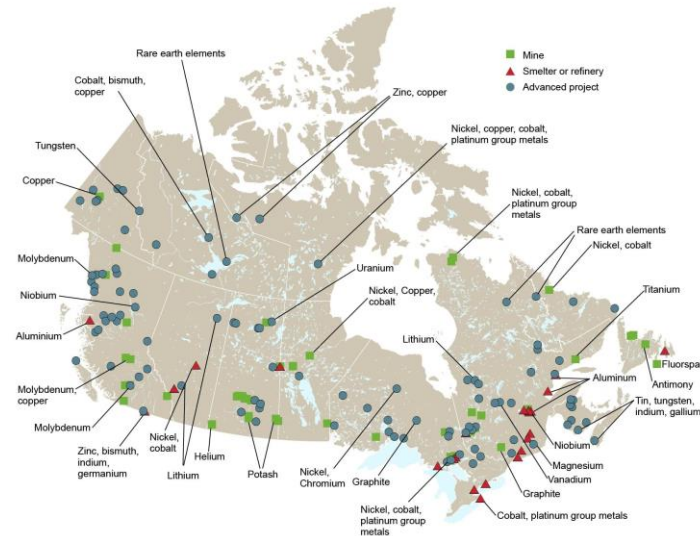
February 15, 2023



Canada

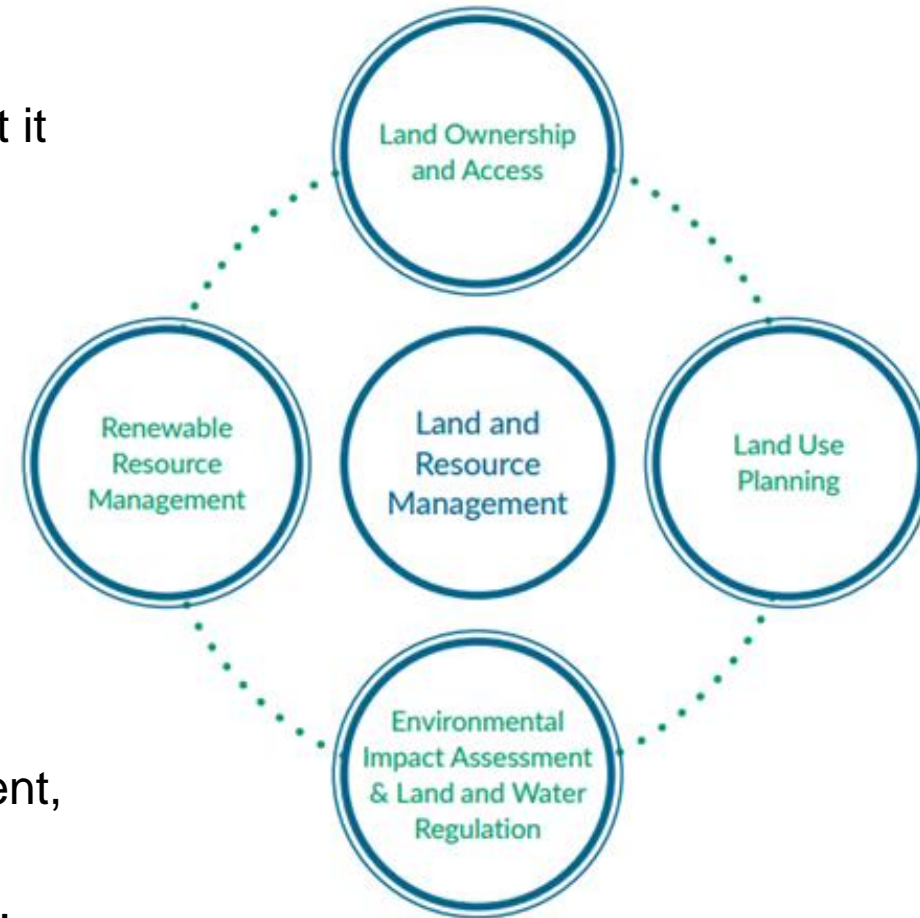
Northern Regulatory Initiative: \$40 million over 7 years

- “We are committed to collaboration on impact assessments, informed participation and decision-making, and high environmental standards for critical mineral projects.... Regulatory certainty is a prerequisite for Canada’s economic competitiveness...”
- “The federal government also recognizes that efficient, effective, and inclusive northern co-management regulatory regimes are important to advance critical mineral projects in the distinct regulatory environment of northern Canada. The meaningful participation and leadership of Indigenous peoples, including shared and informed decision making, is integral to ensure that projects advance, and that Indigenous rights and titles are upheld.”
- “This Strategy is intended to be an evergreen document — forward-looking, iterative, and long-term. Its successful implementation will require a coordinated and multi-pronged approach, in collaboration with multiple partners and stakeholders. The following strategic partnerships and engagement forums will help inform implementation of the Strategy over the long term:
 - Northern Regulatory Initiative Engagement;”



Context is key: Resource co-management in the Mackenzie Valley

- The Mackenzie Valley resource management regime is unique in that it is part of a broader integrated and coordinated system that implements important elements from land claim agreements.
- It is founded in principles of **co-management** and relies on **participation**.
- To maintain and strengthen an efficient, effective, and inclusive regime in the Mackenzie Valley, this context is key.





What We Have Heard



Need to collaborate to meet needs

- Understanding the perspectives, challenges, and histories of partners around the table can help identify common priorities and opportunities, and inform strategies/actions. Without collaboration, problems remain stuck.
- Exploring “what we have heard” with partners, will help to respond with actions to advance the objectives of the Critical Minerals Strategy



“Feeding the Fire” by Corrina Keeling featuring excerpts of opening remarks from JoAnne Deneron, Chair of MVEIRB, delivered at the 2021 Resource Co-management in the Mackenzie Valley workshop

The Northern Regulatory Initiative (NRI)

Needs emerging from “what we have heard”



- Resources to improve participation in resource management processes
- Resources to improve clarification/coordination on Crown Consultation processes
- Resources towards regional and forward looking approaches to resource management (e.g. cumulative effects, climate change, cultural/economic/environmental wellbeing)
- Resources to support work with partners to identify and discuss challenges, opportunities, priorities, strategies, and approaches

Actions in these broad areas will help advance CMS-NRI objectives to support *efficient*, *effective*, and *inclusive* northern regulatory regimes.

It is early days. We are in the planning phases and need to work with partners (at various levels) to further identify/refine priorities and design/implement actions.



MVOD Plus: A Regulatory Dialogue in the NWT?



Approach to Working Together

- Continue to engage with partners directly involved in northern regulatory processes to identify challenges, share perspectives and knowledge, discuss ideas and approaches, and work together on common priorities
- Provide updates and seek feedback on elements of the CMS important to northern partners
- Meet on a regular basis (every 12-18 months in-person, with potential for virtual touch-stone meetings every 6-8 months).

We want to hear from you!

Does this approach reflect your needs and interests?
Do you have other ideas/reflections to add?

To be discussed over the course of the day





Thank you!

Please do not hesitate to reach out to me with any additional questions, concerns, or comments, at:

Email: Rebecca.Chouinard@rcaanc-cirnac.gc.ca





Government of
Northwest Territories

Northwest Territories Critical Minerals Action Plan

Background

- Critical Mineral development crucial for future resource industry in the NWT
- Opportunity for NWT to contribute to the in-demand worldwide supply chain
- NWT has the resources needed to gain market share and attract investment
- The NWT currently has CM projects
 - NICO, Nechalacho, Pine Point, Cantung, Mactung, Prairie Creek, etc



Canada's Critical Mineral Strategy

- GNWT participates on FTP working groups on Critical Minerals
- Canada's Critical Minerals Discussion Paper
 - GNWT response emphasized need for increased Indigenous participation and engagement, and infrastructure investments
- Canada's Critical Minerals Strategy (December 2022)
 - Increase the supply of responsibly sourced critical minerals
 - Support development of domestic and global value chains



NWT Action Plan

- ITI internal draft outline developed in early 2021
- Critical Minerals workshop – November 2021
 - What We Heard Report
- Action Plan will set high level goals and actions
- Will inform further development of a refreshed NWT Mineral Development Strategy
- An iterative roadmap will depict topics identified as priority and target timelines for completion



NWT CM Action Plan Pillars

1. Awareness and Engagement on Critical Minerals in the NWT
 - Public perception and understanding of CM development
2. Marketing and Promoting the NWT's Critical Minerals Potential
 - Highlight the NWT advantage
3. NWT Critical Minerals – What Are They and Where Are They?
 - Enhanced promotion specific to NWT Critical Minerals geoscience information
4. Critical Mineral Partnerships and Collaboration
 - Strengthen partnership on collaborative CM development between GNWT, Indigenous Governments, and Canada



Action Plan Development

- Finalize draft TOC/Outline and Pillars
- Engage with partners and stakeholders
 - Indigenous Partners, Industry, Public
 - Canada
 - NRCAN Critical Minerals Secretariat
 - Regional Energy and Resource Tables
 - Mackenzie Valley Operational Dialogues
- Draft content based on outline and engagement feedback
 - Consultant/contract support



Action Plan Development Cont'd

- Develop a performance management framework
- Layout and Design Development
 - ~10-15-page document envisioned
- Communications and launch
 - Summer 2023
- Living/Evergreen Document
 - The NWT CMAP is meant to be updated on an as-needed basis with adaptive implementation deliverables based on the current needs of governments, industry and other stakeholders

