

Mine Licencing Improvement Initiative

MLII

BACKGROUND

- **Brings together the work of the Business Improvement Initiative, ADMs Steering Committee on Water Licencing Issues, YMAB industry recommendations (as outlined in 2013 report) and past internal work. Past initiatives involving administrative improvements only have had limited success (Licensing Process Improvement Team/Stantec Report)**
- **Designed to reduce overlap and improve coordination and effectiveness of authorizations for major projects (major mines specifically with benefits and associated improvements to placer and oil and gas authorizations)in relation to the regulated use of water or deposit of waste to water.**
- **The project is also aimed at providing clarity & effective inter-agency coordination & accountability between YESAB, Yukon Water Board and Yukon government in our roles as assessors and regulators.**
- **We want to engage and undertake our required legal obligations to consult with First Nations in a way that adds value and looks to build more effective relationships between the governments**

CONTEXT

- **Waters Act and Regulations and processes/procedures of the Water Board and Water Board Secretariat have not been reviewed in the context of many major changes in management of natural resources in Yukon while other resources legislation has been developed and amended since the late 90s through to present.**
- **QMA/PMA:**
 - 1998/99- Part 2 of the Quartz and Placer Mining Act and Quartz and Placer Mining Land Use Regulations brought into effect by federal government -provides for ability to issue licenses for production for quartz mining (previously only licensed through the Water Use License) along with instituting the requirement for approvals for work on claims
 - 2007- QMA Security Regulations
 - 2008-QMA Amendments to Part 1- Mineral Tenure
 - 2010- QMA Royalty Regulations
 - 2013- QMA and PMA Amendments- Class 1 requirements brought into effect
- **YOGA: Yukon *Oil and Gas Act (YOGA) (1998, amended 2012)*- Enacted in 1998 following 1997 MOA signed by Yukon government, all Yukon First Nations, CYFN, the Kaska Dena Council and the Kaska Tribal Council**
 - YOGA Regulations (2014/15)
 - 1999- Disposition Regulations
 - 2004- Geoscience Regulations , Oil and Gas Licence Administration Regulations and Drilling and Production Regulations
 - 2008- Oil and Gas Royalty Regulations
 - 2013- Natural Gas Processing Plant Regulations

CONTEXT CONT'D

- **2000's – various First Nation Final Agreements signed by the parties**
- **2003- Devolution of federal responsibilities for lands and water to Yukon government and passage by Yukon of mirror legislation**
- **2005- YESAB Implementation**
- **2007- Minto Mine comes into commercial production**
- **2007 to 2015- start up of Bellekeno and Wolverine, requirements for multiple assessments and regulatory amendments specifically relating to Keno area and Minto expansions**
- **Ongoing system/process challenges experienced for regulators, assessors, First Nations and proponents within current system.**

Objectives and Timing

- ***What will this accomplish?*** It will address major areas of overlap & inefficiency in process; provide clarity on Yukon's requirements for water quality & design of structures; provide greater accountability; clarify rules for closure of mines; improve and formalize role of First Nations in the quartz licensing process.
- ***Why is this important?*** It will provide better protection of the environment & encourage responsible development
- ***What does this look like?*** This will require regulatory change and potential new regulations respecting the Waters Regulations and Quartz Mining Regulations, policy guidance and system changes to process (including process, procedures and other administrative improvements)
- ***What is our timeline?*** The intent is that the significant regulatory and policy items will be ready for approval in late fall/early winter 2015, with implementation planning and actions relating to system improvements, processes and procedures to be actioned once the regulatory and policy base is formalized.

OUTCOMES

- **Regulatory package to the Waters Regulations and Quartz Mining Regulations which will include considerations of amendments and additions relating to:**
 - **Water Licence/Quartz Licence overlap**
 - **Designing Water Quality & Effluent Discharge Methodologies**
 - **Post Closure Mine Licencing Criteria**
 - **Developing Water Facilities Design Performance Objectives**
 - **First Nation consultation**
 - **Security regulation amendments**
- **Policy development or updates:**
 - **2006 Mine Site Reclamation and Closure Policy updates**
 - **Development of Acid Rock Drainage Guidelines specifically for the Yukon context.**
- **Inter-agency coordination & accountability**
 - **Detailed system review between YESAB, YWB and YG functions relating to assessment and regulating major projects including potential application process alignments, development of a new model within current legislative framework and respecting agency mandates, and development of implementation/action plans for development of procedures, rules, processes specifically between Mineral Resources, EMR, the Water Board Secretariat and the Water Board.**
 - **Internal Yukon government review of departmental responsibilities (Environment, Executive Council Office and Energy Mines & Resources) relating to major project management.**