A Practitioner’s Guide
to Planning for and Permitting a Mineral Development Project in Ontario

Developed by the Ministry of Northern Development and Mines

Ontario
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1.0 Introductory Overview to the Guide

1.1 Executive Summary
Ontario’s rich mineral resources are an important part of our economy. The Government of Ontario has a responsibility to manage the many aspects of mining activity in this province. It acts as a repository of information concerning the provincial geology, land ownership and mineral rights, and assists prospective miners and mining companies through the various stages of the mining cycle, from prospecting to exploration, operation and decommissioning. In addition, in conjunction with federal and municipal governments, the Ontario government must also ensure that mineral rights and land ownership are respected, and that the mining sector is regulated to prevent possible contamination of the natural environment and infringement on the interests of local communities. These latter objectives are accomplished through a system of permits and approvals.

The Ontario Ministry of Northern Development and Mines (MNMD) has commissioned this Guide to clarify permitting requirements for mine development in Ontario, and to serve as a quick reference for planners of new mining activities. Section 1 explains the purpose of the Guide and how to get the most out of it. Section 2, entitled “Project Planning”, summarizes the steps of the planning process and the important factors to be considered at each stage. Particular attention is paid to project scoping, land ownership and use of land and mineral resources, the environmental assessment process, consultation with First Nations as well as with the public, and accessing Ontario government resources. In section 3, “Navigating the Regulatory Process” and accompanying Appendices A to E, “Permit Navigation System”, the requirements of the regulatory process are explained in detail for each stage of the mining cycle.

Throughout the Guide, hyperlinks and references to many other relevant and useful websites and publications are included for further information.

This Guide is intended to help project planners focus their efforts on preparing for and proceeding smoothly through the planning process, with minimal delays due to oversights or confusion about regulatory requirements. The Guide promotes responsible mining practices in Ontario and will help ensure that new mines are planned and implemented to benefit local communities and the province as a whole.
1.2 Introduction
Mining is a human activity that has evolved over time to respond to society’s need for minerals removed from our earth’s surface in order to provide a vast array of products that make our lives simpler. These products range from fertilizers for growing food; to metals for cars, appliances, machinery, electronics and communications networks; to uranium for provision of energy to power our activities and interests. As the technology and knowledge of how to use earth-derived materials has improved over time, so have the efficiency and effectiveness of procedures to extract these materials and the permitting and approvals processes that regulate them.

1.2.1 Purpose of the Practitioner’s Guide
This Practitioner’s Guide represents a current overview of the permits and approvals needed to establish a mineral development project in Ontario. The Guide provides an easy-to-use reference to properly plan and implement a mineral development project through all the stages of mining – from advanced exploration to closure. This Guide addresses a number of items including: the existing regulatory framework for mining activities in Ontario; First Nations and the public understanding and requirement for involvement; oversight and the assurance of a safe and healthy environment. As well, it creates an awareness of the needs of the various regulatory agencies which may be involved when undertaking a mineral development project in Ontario.

Although the information provided in this Guide is current at the time of preparation, its content is also designed to be applicable over time without need for significant revision. To that effect, the Guide’s discussion of topics—relevant to anyone considering or planning a mineral development project in Ontario—are at a more strategic level, covering those general principles and elements of successful project planning and implementation that do not change over time. Key information required to successfully plan and implement a mineral development project is provided here, with numerous references included throughout for additional web, paper and human resources that will be helpful in working through relevant and current project planning details. For a more thorough and complete review of regulatory requirements for mineral development projects in Ontario, project proponents are urged to contact their nearest MNRM Mineral Development Office. Current contact information is available at http://www.mndm.gov.on.ca/mndm/mines/mg/advex/default_e.asp

1.2.2 Guide Overview
One of the most important messages for a planner of a mineral development project is an appreciation that moving from mineral exploration through to mine development, operation, and eventually to plant closure, is a complex process that must allow adequate time for engagement and meaningful involvement of all the potential stakeholder interests. A mineral development project has the potential to impact a broad scope of First Nation, public and private interests. Some examples of stakeholder interests include:

- Aboriginal land claims or developing land claims on or near the area;
- land tenure issues, which vary according to whether the landowner is private or the Crown, for mineral development projects located on or near public or privately owned land;
- potential environmental impacts to forested areas, sensitive habitats and watercourses, associated with emissions to air or water, or waste disposal;
- potential impacts from infrastructure development associated with the project;
• potential business opportunities associated with mine development and operation;
• public health and safety aspects of the development and mining operation; and
• known or potential cultural/archaeological sites within or near the project area.

The main objective of this Guide is to adequately prepare the project planner by helping to define the role and interest for each of the entire range of potential stakeholders; identify why and how each stakeholder could become involved; what steps to take; and how to fulfill the associated permitting and approval requirements.

1.3 Format of the Practitioner’s Guide

This Guide provides an overview of information that’s needed when planning a mineral development project in Ontario. More detailed information is available through a number of sources, such as the Ministry of Northern Development and Mines and other government and private organizations. Some of these include:

• The Mining Gateway, established by the Ontario Ministry of Northern Development and Mines (MNDM), is a comprehensive resource on all aspects of planning a mineral development project;
• Prospectors and Developers Association of Canada (PDAC), http://www.pdac.ca/;
• Ontario Mining Association (OMA), http://www.oma.on.ca/;
• Mining Association of Canada (MAC), www.mining.ca/.

The above references should be relevant to the majority of mineral development project managers. Other relevant ministry/agency resources are referenced throughout this Guide, within each of the main topics addressed.

Other available tools to facilitate planning and implementation of mineral development projects include:

• The Project Definition Template, available from MNDM at The Mining Gateway;

• The Project Description Template, provided by the Canadian Environmental Assessment Agency (CEAA), http://www.ceaa.gc.ca/013/0002/ops_ppd_e.htm;

• Land tenure and land use planning websites, http://www.mndm.gov.on.ca/MNDM/MINES/lands/claimap3/Default_e.asp;


• Ontario’s ‘One Window’ Coordination Process, a description of which is also available at The Mining Gateway.
2.0 Project Planning

2.1 Importance of Planning

The greatest risk to a mineral development project is when unforeseen issues or requirements crop up. Often these are related to an incomplete assessment of the issues to be dealt with; be they related to the specifics of the land itself or to a community’s interest in the proposed project. Some project proponents, particularly small or inexperienced ones, have unrealistic expectations of the length of time it takes to comply with regulatory requirements. A sensitive land feature or use not identified in the original project plan—a nearby fish habitat or recreational facility, for example—that could be impacted by the proposed project, could add months or even years to the time required to adequately permit and approve a project. Similarly, proponents can make the mistake of losing sight of the big picture, i.e. the overall perception of the proposed project in the landscape and community by becoming too focused on project details. Inadequate planning can significantly lengthen a project’s timeframe and increase expenses.

In general, successful project planning involves answering the fundamental five W and H questions.

- **What and why?** Describe the project: What is its vision? Why is the project being implemented?
- **Who?** Who will be involved? What will be their responsibilities?
- **When?** When will the project take place? What will be the major milestones? Keep in mind the time required to complete each task, what resources are available, and whether or not a task depends on the completion of other tasks.
- **Where?** Where will the project be located? What will be the physical extent?
- **How?** How will the project be executed and controlled to ensure tasks are completed effectively, on time and on budget?

There are five main stages in the development of a mining project from concept through to mineral extraction and site decommissioning. The stages are: 1) exploration; 2) advanced exploration; 3) development; 4) operations; and 5) closure. Each of these phases and their related activities is defined below in Table 1, with an indication of some of the major regulatory and permitting requirements to be taken into consideration during project planning. More specific details are contained in Appendices A to E. As well, resources on the Mining Gateway such as the Mining Sequence can assist the project planner in identifying specific project activities over time.
### Table 1. Major planning considerations for the five phases of a mineral development project.

<table>
<thead>
<tr>
<th>Phase</th>
<th>Associated Activities</th>
<th>Major Permit / Approval Planning Considerations</th>
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</thead>
</table>
| Prospecting and Staking / Exploration – Staking | Staking involves on-the-ground marking of the area of interest and registering of this area with the Mining Recorder. Activities associated with prospecting and preliminary exploration may include:  
  - various ground surveys, usually in a grid pattern, for geological mapping or for geophysical/geochemical surveys;  
  - geophysical surveys from the air;  
  - limited stripping and trenching of soil at the ground surface;  
  - limited sampling of ground materials;  
  - various forms of drilling;  
  - bulk sampling*.  
If a company is listed on Canadian Securities Exchanges, at this time the mine property owner(s) would submit documentation required under National Instrument 43-101 to verify mineral resources. | Activities under the prospecting and staking process require a Prospector’s License from MNDM. A detailed description of the activities and related requirements are included in the Guide to Staking a Mining Claim.  
There are no other permits or approvals required for staking a claim.  
Prospecting or preliminary exploration may require:  
- Provincial permits associated with use of Crown land for road building, water crossings, tree cutting, burning of materials or approach to a Provincial highway. In addition, some of the permits required for activity on Crown land may require a limited Environmental Assessment  
- Federal approvals for crossing a watercourse designated as navigable; work near or within waters that are fish habitat; exploration on First Nation Reserve land; or purchase and possession of explosives  
- Municipal approvals for potential changes in land use, and sometimes for burning of materials  
- “Bulk samples greater than 10 tonnes may require a “Permission to Test Mineral Content” from the Director of the Mineral Development and Lands Branch, MNDM, for sampling of Crown mineral resources. In addition, a Closure Plan for the eventual rehabilitation of the site will be required if the sample exceeds 1000 tonnes.  
Although the activities at this stage are limited in their potential for impact upon the surrounding environment or community, a comprehensive view of the subject land is highly recommended. This would include consideration of regional community interests such as land tenure, existing and traditional land use(s), projected future land use as well as type and extent of environmental features (forests, agricultural land, streams or water bodies, wetlands, sensitive habitat). An understanding of the social and environmental features of the lands at this stage will assist in planning for permit and approval stages of future activities at the exploration, development, operations or closure stages. |
### Advanced Exploration

**As defined under the Ontario Mining Act**, refers to the excavation of an exploratory shaft, adit or decline; the extraction of material in excess of 1000 tonnes (or where it involves a single location of an area >10,000 m², or a volume >10,000 m³, or amounts less than 2500 m²/m³ if the activity is within 100 m of a water body), whether the extraction involves the disturbance or movement of prescribed material located above or below the surface of the ground; the installation of a mill for test purposes; or any other prescribed work. See [http://www.mndm.gov.on.ca/mndm/mines/mg/advex/advdef_e.asp](http://www.mndm.gov.on.ca/mndm/mines/mg/advex/advdef_e.asp) for a full definition of advanced exploration.

**Phase**

- **Advanced Exploration**

**Associated Activities**

- The purpose of this stage is to establish the feasibility of developing a full-scale mine for material extraction and processing. This phase may involve removal of significant amounts of rock for testing (bulk sample).

**Major Permit / Approval Planning Considerations**

- Many of the types of approvals noted under exploration will also apply at this stage. Most significantly, prior to any substantial work, one should consider establishing a set of environmental baseline conditions (i.e., a description of the natural environment of the project area before work commences). This should include: water resources – quality, quantity and movement; vegetation; wildlife habitat; soil resources; human land use and enjoyment; and air quality. This description of existing conditions will form the basis for the subsequent closure plan that must be implemented once mining operations have ceased.

- In many instances at the advanced exploration stage, *Permits to Take Water* and *Sewage Works Certificates of Approval* are needed.

- Bulk samples greater than 10 tonnes may require "Permission to Test Mineral Content" from the Director of the Mineral Development and Lands Branch, MNDM, for sampling of Crown mineral resources. In addition, a *Closure Plan* for the eventual rehabilitation of the site will be required if the sample exceeds 1000 tonnes.

- Prior to commencement of an advanced exploration project, which requires the issuance of a *Notice of Project Status (change)* (submitted to the MNDM), the following information must be compiled and submitted:
  - an operating plan (project description, site plan, site access details, targeted minerals, project term, number of workers, operating schedule);
  - map of project boundaries;
  - uses of adjacent land and water;
  - owners, occupants and users of project land and immediately adjacent land;
  - project schedule.

- Unpatented mining claims must be taken to a mining lease status before any mine production commences.
### Phase

<table>
<thead>
<tr>
<th>Associated Activities</th>
<th>Major Permit / Approval Planning Considerations</th>
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<tbody>
<tr>
<td><strong>Development</strong> – under the Mining Act, “Mine production” means mining that is producing any mineral or mineral-bearing substance for immediate sale or stockpiling for future sale, and includes the development of a mine for such purposes.</td>
<td>Potential approvals at the development stage include Environmental Assessment if any of the project components are subject to the federal or provincial processes (see Section 2.3); Provincial approvals if any of the road or building construction activities are located on or may impact upon Provincial Crown land; and federal agency permits if the proposed mining development will impact upon a rail line, any fisheries habitat not already addressed, use or impact upon federal or First Nation land, or use and storage of explosives.</td>
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- Development activities include:
  - Potential approvals at the development stage include Environmental Assessment if any of the project components are subject to the federal or provincial processes (see Section 2.3); Provincial approvals if any of the road or building construction activities are located on or may impact upon Provincial Crown land; and federal agency permits if the proposed mining development will impact upon a rail line, any fisheries habitat not already addressed, use or impact upon federal or First Nation land, or use and storage of explosives. |

- Prior to commencement of mining operations, which requires the issuance of a Notice of Project Status (change) (submitted to the MNDM), the following information must be compiled and submitted:
  - An operating plan (project description, site plan, site access details, targeted minerals, project term, number of workers, operating schedule); |
  - Map of project boundaries; |
  - Uses of adjacent land and water; |
  - Owners, occupants and users of project land and immediately adjacent land; |
  - Project schedule. |

- The requirement for a Federal Environmental Assessment may be triggered if any federal authorizations are required, or federal land or federal monies are involved in the project. |

- **Operations** – implementation of the project operating plan. |

- Potential activities for mine operation include: soil and overburden removal; blasting; mineral extraction (processing); tailings disposal and management; monitoring of air, wastewater and solid waste materials; construction of or modifications to existing infrastructure. |

- This stage involves management of many processes, in the present and long-term, in accordance with the approvals obtained during the development stage or just prior to commissioning of mine operations. Before mining operations can begin, MNDM requires that a Closure Plan with Financial Assurance be submitted and approved. The Province will also require certificates of approval (C of A) for any discharges to air or water, with the latter including potentially separate certificates and treatment processes for industrial wastewater and domestic sewage generated from the mine operations. Ontario also requires a C of A for a waste disposal site, if this is to be part of the mining operation. |

- **Closure, Reclamation and Monitoring** – The closure plan for a mine development site, often submitted for approval to the MNDM at the advanced exploration stage, will see site rehabilitation to approximate pre-development conditions. This means removal of site facilities, restoration of soil cover materials, vegetation and surface water features to a quality, quantity and appearance that is as close as feasible to pre-development conditions or the baseline environmental conditions measured and described at the advanced exploration stage. |

- This stage involves the cessation of mineral materials extraction, processing and transportation activities and a closure of the project site which supported these activities. |

- No additional approvals are required at this stage, however, the proponent must file a completion report that documents how the mine site closure has complied with the requirements of the approved closure plan.
2.1.1 Approvals and Permitting Overview
As noted in Table 1, a broad range of approvals may be required in advance of undertaking a mineral development project. The majority of these approvals are required by Ontario government ministries or agencies (e.g., Ministry of Natural Resources (MNR), Ministry of the Environment (MOE)), or organizations established under provincial authority (municipalities, conservation authorities). Occasionally, federal agencies have jurisdiction over a mineral development-related activity, for example, requirements under the federal *Fisheries Act* will be triggered if a mineral development activity may potentially disturb a fisheries habitat. Other mineral development activities may trigger requirements under the *Canadian Environmental Assessment Act*.

Table 2 provides an overview of various areas of jurisdiction that could impact on a mineral development project, and which of the different levels of government have authority in that area of jurisdiction. Further details concerning the agencies likely to be involved in various mineral development-related activities, and the types of approvals they require, are outlined throughout the rest of Section 2 and summarized within the “Permit Navigation System”, Appendices A to E.

<table>
<thead>
<tr>
<th>Federal</th>
<th>Provincial</th>
<th>Municipal</th>
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<tbody>
<tr>
<td><em>Navigation and shipping</em></td>
<td><em>Provincially owned and/or regulated resources such as lands, fish, wildlife, water, timber, aggregates and minerals</em></td>
<td><em>Approvals for land use or zoning changes required for project development</em></td>
</tr>
<tr>
<td><em>Sea coast and inland fisheries</em></td>
<td><em>Exploration, development, conservation and management of non-renewable natural resources</em></td>
<td><em>Building permits</em></td>
</tr>
<tr>
<td><em>Federally owned land, or other federal resources, such as funding provided by a federal government department</em></td>
<td><em>Development, conservation and management of forest resources</em></td>
<td><em>Noise restrictions and other bylaws</em></td>
</tr>
<tr>
<td><em>Aboriginal people and lands reserved for Aboriginal people</em></td>
<td><em>Development, conservation and management of sites and facilities for generation and production of electricity</em></td>
<td><em>Local infrastructure needs such as transportation, drainage</em></td>
</tr>
<tr>
<td><em>Regulation of trade and commerce, such as import and export of rough diamonds under the Kimberley Process</em></td>
<td><em>Treatment of ore outside Canada</em></td>
<td></td>
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<tr>
<td><em>Other specified classes of activities, such as regulation of explosives</em></td>
<td><em>Taking of water</em></td>
<td></td>
</tr>
<tr>
<td></td>
<td><em>Discharges to air and water and land</em></td>
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</table>
2.2.1 Developing a Project Description

The primary resource available to mineral development planners for preparing a project description is MNDM’s “Project Definition Template for Advanced Exploration and Mine Development Projects”. It can be found at The Mining Gateway. This template provides advice on:

- **when** to prepare a project description (as early in the process as possible, even if some of the suggested information is not yet available);
- **how to use the template** (it’s meant primarily as a guide, but remember to consult with your local Mineral Development Coordinator early and throughout project development);
- **purpose of a project description** (a project description is a valuable communications tool to explain your proposed development to relevant regulatory agencies so that they are better able to advise you on approval requirements at an early stage); and
- **content of a project description** (the template contains a listing of recommended sections, with explanations of the information to be included in each).

Some of the recommended content for a mineral development project description is presented below, and explained in more detail in sections to follow.

- **Introduction** – Identification of proponent(s), summary of project, location, data gathered, consultations to date, contact information
- **General Site Information** – Exact location and summary description of site, site address, proposal status and project name
- **Land Tenure** – Land ownership, ownership of surface and timber rights, ownership of aggregate resources, identification of potentially affected nearby owners, presence of federal or provincial Crown lands, First Nation Reserve lands, other easements or rights-of-way
- **Site Plans** – Position of project features at regional, property and site scale
- **Project Detail** – Detailed description of proposed mining activities, supporting facilities and infrastructure
- **Project Location and Environmental Baseline Data** – Detailed description and presentation of environmental features on the site and surrounding the subject site
- **Project Schedule** – Detailed schedule for project development activities, regulatory approvals, public and Aboriginal consultations

Other documents that could serve as complementary resources for additional guidance when developing a project description include ones from CEAA and the Mining Association of Canada. CEAA’s guide *Preparing Project Descriptions under the Canadian Environmental Assessment Act* offers a sample outline for preparation of a detailed project description for initiatives subject to the federal environmental assessment process (a requirement that may not always be applicable). Useful background is also available through the “Facility Description” section (Chapter 4) of the Mining Association of Canada’s guide *Developing an Operation, Maintenance and Surveillance Manual for Tailings and Water Management Facilities.*
2.2.2 Approach for Developing a Project Description

Some, or in other cases all, of the components of a project description can be completed by the proponent; however, it is likely that professional assistance will be needed for completion of some of the project design, site documentation and evaluation tasks. Engaged professionals could include a mining engineer for site layout, description of production processes and operations management; environmental specialists for documentation of the area’s natural features; civil engineers for tailings dams; chemical engineers for waste water treatment etc.; and a planner to assist with identifying past, present and future land uses for the site and surrounding area.

2.2.2.1 Supporting Resources for a Project Description

Resources that can be used to assist in preparing a project description for a mineral development project include:

- Topographic maps and aerial photographs
  - scanned 1:50,000 and 1:250,000 NTS topographic maps are available for free through Geogratis at http://geogratis.gc.ca/
  - maps and air photos are available through The MNR Store at http://themnrstore.mnr.gov.on.ca/default.htm
  - Ontario Base Mapping and current and past aerial photographs are available through the Ontario Ministry of Natural Resources, Natural Resources Canada Air Photo Library, Google or through any number of private companies

- Municipal Official Plan(s) and zoning bylaws for the area that show the existing and future planned land uses in a municipality’s geographic boundaries
  This information, combined with base maps and aerial photos, can provide good background information on existing land uses and resources for the project site and adjacent land. Mapping provided by MNR and the relevant municipality can also provide information on potential environmental or cultural sites of interest, with links to supporting reports with more detailed information, if available.

- Local weather data, collected over time to provide ranges for temperature, precipitation

- Review of local newspapers or discussion with community experts, such as municipal councillors or mayor, to identify potential features of interest and stakeholders

- On-the-ground data collection
  Information from existing data sources will likely need to be augmented by field visits for confirmation or refinement of the current environmental and social setting of the project site. Details such as the types of natural vegetation present, type and significance of fish and wildlife habitat, size and nature of water bodies, size and flow of watercourses, type and extent of current land use, type and location of man-made structures, and presence of archaeological features should be confirmed by field visits.

2.2.2.2 Level of Detail

The level of detail in a project description should be appropriate not only for the project manager but also for other project stakeholders or partners, as well as potential approval / permitting agencies. The project description should provide:
• a good understanding of the nature and extent of the proposed project;
• an understanding of all the social and environmental aspects of the site and of the adjacent lands;
and
• an insight on how the planned project activities might affect these social and environmental features.

Nevertheless, the project description is a summary, not an exhaustive and detailed description of the project and its host site. Instead, it should present project and site data that are significant and represent site or project features that are sensitive to development and/or are regulated because of their environmental or social sensitivity.

2.3 The Land Situation

Once the project has been scoped through the process of creating a project description, the next major step is to determine the overall land situation for the subject and adjacent lands. This step includes establishing land tenure, which involves determining the ownership of the land underlying and in proximity to the project area, as well as potential variations of ownership of surface, mineral and timber rights of the land. Also, if potentially impacted First Nation communities have not already been engaged by this time\(^1\), they should be.

Mining land tenure must be secured by the project proponent in order to develop and operate a mine. This means that unpatented mining claims within the project area must be taken to lease prior to the start of any significant advanced exploration activities or mine production.

An understanding of how the lands have or are to be used is also needed. Current and future land uses for an area are shown on municipal plans, which place land-use designations and zoning controls on all lands within their geographic boundaries. A brief description of the various types of land tenure, the process for land use designation and zoning, as well as practical land use are provided below. How to determine property status of privately owned land underlying the site of a mineral development project is also described.

In general, the project proponent should consider the following:

• What rights or land considerations are associated with the project, given its proposed location on the landscape? (e.g., mineral rights, surface rights, timber, aggregate, fishing, hunting, recreation, Aboriginal, land use, watershed implications);
• Does the proposed mining property incorporate all the land potentially needed to support a project? What if additional land is required due to expansion? Think about site-specific considerations (e.g., roads, power, water, locations for waste management) and all the available options;
• Consider local activities and businesses and how they may be impacted by the project. Fishing, hunting, forestry, snowmobile and ATV trail use are common activities;
• What rights or claims, if any, do others have? The development of a mineral project in Ontario can be significantly affected by traditional use as well as land and mineral claims by First Nations peoples;

\(^1\) It is strongly recommended that potentially impacted First Nation communities are engaged at the very earliest stage possible in the mineral exploration/development process.
2.3.1 Land Ownership
Identification of land ownership is relatively straightforward. The local Land Registry Office within the municipal offices of the subject lands provides detailed ownership information on a property parcel basis. Starting with lot and concession numbers, or property parcel numbers, and the township or municipality name for the subject lands, one can obtain the name and mailing address for the land owner. Land ownership can also be obtained for property parcels surrounding the subject lands, for as large an area as desired.

It is recommended that a search of ownership extends to all adjacent lands within which a potential environmental effect may occur as a result of the proposed project. The extent of the potential effects will depend on the nature of the activity. Factors to consider include:

- building of any supporting infrastructure such as roads, railways, aircraft runways, communication and electrical transmission lines, water or natural gas pipelines;
- any anticipated emissions to air (air contaminant, dust or noise) and their anticipated travel distance, with controls, vibration impacts;
- anticipated discharges to water, and the water bodies potentially affected;
- building of other support facilities, such as for processing, transfer or storage, on other lands, etc.;
- water supply.

Contact information for all Land Registry Offices across Ontario, operated by the provincial Ministry of Government and Commercial Services, is provided at [http://www.cbs.gov.on.ca/mcbs/english/250a_3fe.htm](http://www.cbs.gov.on.ca/mcbs/english/250a_3fe.htm). For property ownership and title searches of larger areas, an appointment may be required to use the registry’s resources. It is recommended that you call in advance.

2.3.2 Surface and Resource Rights
In addition to land ownership, the Land Registry Offices also provide other relevant information on property parcels, such as resource ownership. Within Ontario, ownership of the mineral resources below or on land surface may differ from ownership of the overall surface, i.e., the ground on which buildings will be erected. This information must also be considered as part of the planning for a mineral development project. The following provides a brief explanation as to why ownership of surface and mineral rights may differ.

Historical changes over time have resulted in varied assignments of mineral rights. Prior to 1867, while Ontario was a British colony, Canada, as “The
Crown” granted land title to individuals. With the 1867 Constitution Act, the then provinces were granted ownership of public property within their boundaries, known as provincial Crown Lands. Ontario amended its Public Lands Act in 1913 to specify that any property granted to others by the Crown before 1913 included mineral rights ownership. Any lands granted by the Crown after 1913, may or may not include mineral rights, depending upon how the title was worded. The Province’s current practice for any lands sold or leased under the Public Lands Act is to maintain the mining rights for most lands. In addition, sometimes land owners do not own the timber rights either. For both situations, if ownership of mineral or timber rights rest with the Province, this will be registered on the property’s title at the Land Registry Office. Further information on property ownership considerations is included on the Mining Gateway.

Generally, a project planner would not likely be working through ownership details until the proposed mineral development project is at the advanced exploration or development stages, which is when notification of private landowners potentially affected by the associated activities is required. For claim staking, the MNDM ClaimMaps website indicates the location of private lands, so that prospectors are aware of their location and can conduct their activities so as to not impact upon the landowners. Information on the ClaimMaps website is as accurate as possible and is updated regularly; however, should land ownership details be of concern, the Land Registry Offices have the most accurate data.

2.3.3 Municipal Land Use and Zoning

For information on existing and planned future land uses, one of the best starting points is with the Official Plan and Zoning Bylaw for the municipality within which the subject and surrounding lands are located. These documents set out restrictions for how land may be used, and are based on the tenets of the Ontario Provincial Policy Statement, which guides land use policies across the province and aims for wise management of the land resources throughout Ontario.

A municipality’s Official Plan assigns land use designations for all lands within the municipality, effectively limiting or controlling land use in some areas, according to the resource potential of those lands. For example, lands that support identified mineral resources, aggregate deposits, significant wetlands, significant natural areas and habitat, highly productive agricultural lands or floodplains must be designated accordingly within a municipal official plan. Allowable land uses in these designated areas are restricted to those that will not prohibit future use or damage the integrity of the resources. The official plans also depict areas set aside for development, in the form of residential, commercial, industrial and institutional facilities, for lands that do not support any of these specific resource features.

A municipality’s zoning bylaw builds upon the land use controls laid out within the official plan. Zoning specifies detailed site considerations, which aim to minimize potential land use conflicts by locating compatible land uses next to each other, wherever possible. Specifications within a zoning bylaw range from establishment of residential density, type of industrial activity, parking requirements, building setbacks from property lines, fencing requirements, etc.
Information from official plans and zoning bylaws can assist the mineral development project planner in identifying existing land uses and any community stakeholders who would need to be involved in consultations. The plans and bylaws also provide information on allowable land uses for all lands within the proposed project area. For example, proposed facilities such as buildings, waste treatment facilities, parking lots and storage facilities must be an accepted use of the land and must be built in the manner specified in the official plans and bylaws. If not, an Official Plan Amendment and/or Zoning Bylaw Amendment application must be filed and approved by the municipality prior to development.

The length of time it takes for an amendment application to be approved depends on the complexity of the requested change. Expect the process to take anywhere between 3 months to one year or more. The application for either amendment could also create the need for additional study, for example to assess traffic impact, natural resource impact, etc., and documentation not necessarily required for other components of the project.

For most Ontario municipalities, the official plans and supporting policies for land use and zoning are publicly available and many are posted on the individual municipal websites; easily located by entering the municipality’s name in Google™ or other search engines. Should these plans not be available electronically, they can be obtained directly from the Municipal Clerk or viewed at the Municipal offices or libraries. Municipal planning staff are available to assist project planners interpret the land use or zoning requirements and to advise on the amendment process, should this be needed.

2.4 Baseline Data Considerations
Now that an understanding of land ownership, resource rights and zoning issues has been developed, a logical next stage is to build upon the documentation of existing environmental features/criteria at the project description stage by collecting specific data on the existing landscape before any changes are made.

2.4.1 Description and Rationale
Baseline data considerations relate to establishing the current environmental and community status of the immediate or subject lands proposed for the mineral development project, and of those lands adjacent to the proposed project area and which may be affected by the project’s activities. For example, they include assessment of any ecosystem inter-dependencies as well as human use concerns such as an appreciation of any local future expectations of the subject and adjacent lands (see below). Requirements for ongoing monitoring as part of the closure plan, as required by section 139 of the Mining Act, provides a good basis for initial baseline data needs, since it is this initial set of conditions prior to project activity against which the success of the closure plan’s implementation will be measured.

2.4.2 Recommended Scope for Establishing Baseline Conditions
Examples of baseline conditions to establish include:

- Collection of environmental information – surface and ground waters, terrestrial, air and climate (data should be ideally collected over a full year, that is, over all four seasons);
- Cultural/heritage issues
- Aboriginal use, e.g., traditional use/traditional ecological knowledge
- Information on any other resources within the project area (trees; aggregate, etc.)
- Other land use in the area, e.g., tourism
- Any constraints on the project linked to seasonality, availability of information
2.4.3 Overview of *Mining Act* Closure Plan Requirements

In addition to the above data, it is recommended that project planners review the requirements for closure plan monitoring prescribed under the Ontario *Mining Act* to decide on pertinent baseline data to collect. The *Mining Act* requirements cover surface, biological and groundwater features under Parts 5 and 6, Schedule 1 of Ont. Reg. 240/00, as amended by O. Reg. 304/07, Mine Development and Closure under Part VII of the Act.

The objective of these regulations is to ensure that water quality is unimpaired by mining development activity, and that surface water can continue to support aquatic life, and surface and groundwater remain suitable for other uses. Monitoring programs of approved Closure Plans will be tailored for the specific site and its surroundings; however, they will include such items as:

- Acute and chronic toxicity and bioaccumulation testing for aquatic life of surface waters;
- Surface water chemical monitoring of any discharge or seepage from on-site or off-site sources; of on-site waterbodies; of waterbodies downstream from the site; and of background reference sites (for comparison). Parameters monitored are noted in Section 47 (2) of Schedule 1 and include pH, total solids, nutrients and metals;
- Groundwater studies to confirm whether or not migration of contaminants is occurring, and if so, to what extent; and
- Monitoring of similar chemical parameters for surface waters.

### 2.5 Environmental Assessment Considerations

This section outlines the intent of an environmental assessment (EA), its process, how projects trigger an EA and what to include in an EA that must be completed for a mineral development project.

#### 2.5.1 Overview of Environmental Assessment

What is an EA? It is a process through which the potential environmental effects of a proposed project or set of activities can be predicted and managed in advance of carrying out the project. Through the process, the existing environmental features of the lands that will support the project are described in detail, possible environmental effects of the project are described, measures are proposed to mitigate the possible environmental effects, and an assessment is made as to whether the project will cause significant adverse effects despite implementation of the identified mitigation measures.

The EA process is designed to build consideration of environmental factors into project planning and decision-making so that new development proceeds in a sustainable manner, thus ensuring that potentially damaging environmental effects can be reduced or avoided before they occur. Given that environmental assessment includes social impact considerations, EA processes provide the opportunity for public input as part of the evaluation of potential effects.

#### 2.5.2 Environmental Assessment Legislation

The Ontario *Environmental Assessment Act* is the legislation most often applied to environmental aspects of mining projects in Ontario. The purpose of the Act is “the betterment of the people of the whole or any part
of Ontario by providing for the protection, conservation and wise management in Ontario of the environment”. An overview of the EA process in Ontario is provided through this link.

Occasionally, mining project components may be subject to the federal Canadian Environmental Assessment Act, an overview of which is provided at http://www.ceaa-acee.gc.ca/012/002/CEAA-Overview_e.pdf. Its purpose is similar to Ontario’s Act in that it aims “to ensure that (subject) projects are considered in a careful and precautionary manner before federal authorities take action in connection with them in order to ensure that such projects do not cause significant adverse effects”.

Other stated purposes of the Canadian Environmental Assessment Act include encouraging responsible authorities to take actions that promote sustainable development and thereby achieve or maintain a healthy environment and a healthy economy; to ensure projects do not cause significant adverse environmental effects outside the jurisdictions of the project; and to ensure that there are opportunities for timely and meaningful public participation throughout the environmental assessment process.

2.5.3 Purpose and Process of Environmental Assessment

The above stated purposes of environmental assessment are useful in providing the context for planning a mineral development project in Ontario, regardless of whether or not a defined project or its components are subject to a formal environmental assessment. Projects that are planned and delivered with the intention of maintaining or enhancing the environmental conditions of a project site and its environs will have an extremely high probability of success. This includes taking into consideration any human impact aspects. A successful project is one that is completed on time, on budget, with little to no unexpected developments, and is carried through to completion while maintaining a strong rapport with interested stakeholders.

Those projects that are directly undertaken by a public agency; are undertaken on their behalf to fulfill a public agency responsibility or involve a public agency resource (for example, use of Crown lands, funding from a government agency, or impact on resources under government jurisdiction such as water bodies, fish habitat, timber or mineral resources) are required to follow an EA process. Both the provincial and federal EA acts generally apply. The federal and provincial Ministers of Environment are provided with discretionary authority through their respective Acts to designate, by regulation, additional projects that require an EA (see Table 3 and Appendix A). This is not a common occurrence.

Both EA acts provide opportunities for varying levels of effort for conducting an EA, with the most intensive and longer term processes required either for those projects that have the greatest potential to cause significant adverse environmental effects, or which are relatively unique, with perhaps the scope of potential impacts unknown. Simpler and shorter term processes are prescribed for more routine projects with a demonstrated history of limited environmental effect, and with activities for which the effects can be mitigated by appropriate management actions. The types of EA processes and how they may be triggered for a mineral development project are described below.

2.5.4 Environmental Assessment Application

As noted in Table 1, an environmental assessment is most likely required when a mineral development project is at the advanced exploration or development phases, or when a significant change to a process/plant or to infrastructure at an existing project is needed. An EA can, however, be triggered at the exploration stage as well.

Overall, an EA will generally only be required when the proposed project is associated with provincial or federal government interests in such areas as:
Practitioner’s Guide to Planning for and Permitting a Mineral Development Project in Ontario

- use of, or impact upon, provincial or federal lands or facilities;
- development of an electricity generating facility;
- construction of transmission lines;
- construction of a hydrocarbon pipeline for transport of oil or natural gas;
- construction of a new highway or relocation of an existing one;
- establishment of a water crossing;
- potential impact upon fisheries habitat.

Specific guides are available for mineral development activities that may be subject to environmental assessment, including:

- Conducting an EA under the responsibility of the Ministry of Natural Resources (MNR); their comprehensive guide to preparing an EA along with appendices provides an overview of other related legislations and approvals administered by other agencies;
- EA guidance document for development of an electricity project in Ontario;
- Guidance document for preparation of an EA under the Canadian Environmental Assessment Act (CEAA).

The amount of time required to complete an environmental assessment will depend greatly upon the complexity of the environmental characteristics and the stakeholder interests potentially impacted by the proposed project. A minimum amount of six months should be anticipated for completion of the environmental assessment, with a likely need of one year or more from the start of the process through to receipt of approval from the relevant agency. An estimate of environmental assessment timing can be obtained through discussion with Ontario’s ‘One Window’ coordination process project coordinator or with the responsible agency contact(s).

Table 3 presents a summary of EA requirements that may be encountered during activities associated with a mineral development project.

<table>
<thead>
<tr>
<th>Legislation</th>
<th>Responsible Agency</th>
<th>Trigger for Conduct of an EA</th>
<th>EA Process Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ontario Environmental Assessment Act</td>
<td>Ministry of Transportation</td>
<td>Construction or re-alignment of a Provincial Highway as part of mine project</td>
<td>Class Environmental Assessment for Provincial Highway</td>
</tr>
<tr>
<td>Ontario Environmental Assessment Act</td>
<td>Ministry of Environment</td>
<td>Construction of a transmission line to provide power for mine development</td>
<td>Class EA for Minor Transmission Line Facilities</td>
</tr>
<tr>
<td>Ontario Environmental Assessment Act</td>
<td>Ministry of Environment</td>
<td>Construction of an Electricity Project to provide power</td>
<td>EA for Development of an Electricity Generating Facility</td>
</tr>
<tr>
<td>Canadian Environmental Assessment Act (CEAA)</td>
<td>Canadian Environmental Assessment Agency</td>
<td>Water Crossing that impacts upon fisheries habitat</td>
<td>Project Class Screening under CEAA</td>
</tr>
<tr>
<td>Canadian Environmental Assessment Act (CEAA)</td>
<td>Canadian Environmental Assessment Agency</td>
<td>Development of a mine project on federal lands or that includes the use of federal funds</td>
<td>Class Screening</td>
</tr>
</tbody>
</table>

*Including existing mines/plants
2.6 Aboriginal Consultation

Under the Canadian Constitution Act, 1982, Aboriginal and treaty rights are given special protection. This means that these rights cannot be unjustifiably interfered with. The Crown has a legal duty to engage in meaningful consultation whenever it has reason to believe that its decisions or actions might infringe upon existing or asserted Aboriginal or treaty rights.

The nature, scope and content of the Crown’s duty to consult can vary widely, depending on the particular circumstances of a project. This analysis involves assessing the nature and strength of any rights that Aboriginal communities have claimed or asserted and how the government’s proposed decisions and actions may affect those rights.

MNDM has the responsibility for coordinating the Crown’s consultation efforts on decisions relating to mining and mineral exploration. If the project requires approvals or decisions by other Ministries with mineral development regulatory authority there will be a coordinated approach to the government’s consultation with Aboriginal communities.

MNDM is working with Aboriginal communities and organizations as well as with mineral sector stakeholders on developing improved Aboriginal consultation processes for mineral sector activities. A broad based approach is being considered, including changes to the Mining Act and its regulations, new policies and improved practices. Please refer to MNDM’s discussion paper “Towards Developing an Aboriginal Consultation Approach for Mineral Sector Activities at: http://www.mndm.gov.on.ca/MNDM/aboriginal/default_e.asp.

Given the time required to develop and implement an improved approach to Aboriginal consultations, the Ministry of Northern Development and Mines has implemented new measures that address some of the more immediate needs identified by both Aboriginal communities and the minerals sector to help us enhance our Aboriginal engagement activities.

For example:

- MNDM will be providing Aboriginal communities with maps and reports that highlight mineral claim staking activity, as well as information on who has staked a claim and when. They will send updated information throughout the year;
- When a mining claim has been recorded, MNDM will send a letter to the claim holder strongly encouraging them to contact those First Nations who may have an interest in an area where a company would like to explore; and
- MNDM will run a pilot project where it will withdraw culturally sensitive areas to protect them from mineral claim staking.

2.6.1 Why Engage with Aboriginal Communities?

Early and effective Aboriginal community engagement in mineral exploration and mining projects makes good business sense for communities and sector companies. Benefits include:

- Facilitating the Government review and permitting process, with the proponent completing some of the practical on-the-ground aspects of consultation
- Increased community participation in the project, ultimately leading to greater support
- Increased community awareness of project activities and the minimal footprint of mineral development projects compared to some other industrial activities
• Greater community comfort with project activities
• Improved access to Aboriginal community’s labour pool
• Enhanced quality of community life through increased employment

Project proponents should also understand that:

• Government consultation is not a duplication of company engagement efforts
• Company–community engagements complement Government consultation
• To make informed permitting decisions, Government staff needs to be advised of company–
  community engagements, including consultations and any resulting agreements and
  accommodations, such as training programs and project-related jobs

Ontario’s Mining Gateway (see: consultation with Aboriginal communities) provides a good summary of
considerations for approaching consultation with Aboriginal communities.

The mineral development proponent is encouraged to commence discussions and engagement of
potentially impacted Aboriginal communities as early as possible and should keep MNDM informed of their
efforts. Good communication builds trust and lays the groundwork for ongoing engagement and productive
relationships. Communities should be asked how they would like to be involved. Generally, in-person
meetings with Aboriginal communities tend to work best. In some instances where language is a barrier,
community translation services should be used.

Written descriptions of the proposed project activities should be provided.

Determining any community concerns and attempting to address those concerns by consensus is
couraged. For example, communities may indicate potential impacts on Aboriginal or treaty rights that
can be avoided by changing the time or location of proposed activities.

Project proponents may also want to consider:

• the potential for community participation in the project, as part of the labour force, in provision of
  support services and goods, or as another type of project partner;
• exploring potential for a formalized understanding through agreement on respective roles throughout
  the project’s life or for clarification of ongoing relationship principles and respective expectations,
  such as through a Memorandum of Understanding (MOU), Impact and Benefit Agreement (IBA), or
  Letter of Intent; and
• information the community can offer on the area’s natural, physical or cultural characteristics as
  available through traditional or other local knowledge

Project proponents may wish to consult PDAC’s e³ program (Environmental Excellence in Exploration)
which is a freely accessible database of guidelines and case studies. e³ includes a detailed section on
community engagement and working with indigenous peoples: http://www.mining.com/
2.7 Public Consultation

2.7.1 Purpose of Public Consultation
Development of a mineral resource through the stages of exploration, development, production and closure is likely to involve the interests of others beyond the project proponent. Generally a mineral development project will attract interest or represent a local interest to others due to past, current or future land uses of the project site or nearby lands. As a project planner needs to be aware of existing or developing initiatives that may affect his or her project, the same need to understand the how, what and where of a mineral development project applies to neighbours, owners and users of the land potentially affected by a proposed undertaking. If one understands the range of community needs and expectations for enjoyment and use of the land, and then uses this understanding to design a development approach that integrates all those factors, this is an approach that will go a long way towards meeting the objective of wise and balanced resource management.

2.7.2 Generally Accepted Practices
Within Ontario, development of new facilities or expanding existing ones commonly involves some type of public consultation, with the objective of identifying and addressing legitimate public issues or questions regarding the proposed development. Many types of development project require a consultation process. These include, for example, projects that are municipal, provincial or federal government related (e.g., building of roads, sewage works, government facilities), or provincial or federal regulated initiatives such as work on electrical power generating plants, transmission lines, gas or oil pipelines).

Although not generally subject to environmental assessment, it is also common for privately initiated developments, such as building of residential housing, industrial, institutional or commercial facilities, to undertake public consultation as part of the development approval procedures outlined by the municipalities within which the development is proposed. As well, public consultation, scoped to fit the likely extent of potential effect or influence on other people, or stakeholders, is accepted as a best management practice to assist in achieving a development concept that does not unduly impact upon others.

2.7.3 Planning for Public Consultation
Should advice on how to approach public consultation for a proposed mineral development project be desired, a myriad of written and professional resources are available. Books, government agency guides, agency staff resources or communications consultants can offer any range of support required. In general, considerations for developing a public consultation approach at different stages of a mineral development project include:

- **Purpose:** The overall purpose of consultation is to identify potential public concerns with a proposed project so that they can be considered and addressed. A good understanding of the planned project scope is critical;
- **Timing:** Consultation should occur early in the project stage; early identification of issues allows sufficient time for addressing concerns before major decisions are made, as well as provides opportunity and time for potential stakeholders to come forward, to understand the proposed project and be able to provide meaningful input;
Preparation: At any stage of a project, prior to public consultation, the project manager should have a clear and relatively detailed understanding of the project purpose, its likely landscape impacts, an awareness and understanding of the likely permits and approvals required, and have identified potential stakeholders and their potential interests in the project;

Identification of Stakeholders: As noted above, potential project stakeholders will include those individuals, businesses and groups/associations who own and/or enjoy the subject and adjacent lands for a variety of reasons, such as tourism, forestry, agriculture, recreation, mining, utility services, transportation corridors (rail, road), trapping, hunting, fishing, boating, etc. Many of the stakeholders will consist of the list of landowners, as identified through a review of the land tenure (described in section 2.2). Other stakeholder considerations are included in the Mining Gateway.

Choice of Appropriate Approach: The method and extent of consultation is recommended to align with the project’s complexity and potential for environmental effects. For example, a mine site project with development of extraction, processing, road and energy facilities will involve a longer consultation process with face-to-face meetings, versus prospecting a claim on private land that should see the proponent advising the affected property owner in advance of this activity. As well, a proposed project that occurs in an area with few stakeholders and with low potential for environmental effects will require less consultation than a project within an area with many different land uses and interested stakeholders, and/or if the project has the potential for significant effects requiring extensive mitigation;

Public Notification on Project Changes: It is recommended that the public consultation process also include public notification of any significant project milestones that could trigger changes that would be noticed by the public. These could include initiation of drilling or stripping associated with advanced exploration; building of infrastructure and facilities during development; commissioning of the mine facilities; operating mine changes (generally major changes only); and initiation of site closure. The Mining Act specifies public notice requirements.

2.7.3.1 Public Consultation As Part of the EA Process
Consultation programs that are required as part of an environmental assessment will have numerous details strictly specified by the EA process. These include:

- methods of identifying stakeholders;
- timelines;
- notification requirements;
- recommended/required consultation methods; and
- requirements for documenting comments received and describing how these comments will be addressed throughout the lifespan of the project.

Direction on how to conduct a consultation process as part of an environmental assessment is part of the several agencies’ guides, such as section A.6.2 Public Consultation in the Ontario Ministry of the Environment (MOE) Guide to EA Requirements for Electricity Projects, CEAA’s Ministerial Guide for EA Screenings or MNR’s Class EA for MNR Resource Stewardship and Facility Development Projects (Section 4), among many others.

The MOE has also published a general public consultation guide (1994), Public Consultation Guide (Publication Number PIBS 2819), available in paper copy through its Public Information Centre at 1-800-565-4923, and the MOE will soon release a Guideline on Consultation in the Environmental Assessment Process.
2.7.3.2 Public Consultation As Part of a Project Component Not Subject to EA

The general approaches outlined in various EA guides are also helpful in developing an approach for public consultation on project activities not subject to EA. They provide suggestions on, for example:

- identifying potentially affected stakeholders (see Section 2.2 “Land Tenure”);
- developing a method for notifying relevant stakeholders about the proposed project (e.g., a summary of proposed activities and timelines);
- developing an approach for relaying to relevant stakeholders potential effects on the surrounding environment as a result of the project, and planned measures to mitigate these potential affects;
- devising an appropriate method of capturing stakeholders’ comments; and
- following up with stakeholders on comments received and addressing these comments throughout the project’s lifespan.

As with other aspects of managing mineral development projects, good planning will be a major factor in a successful public consultation program. Success can be measured as a relatively smooth consultation process through which the project proponent anticipates most to all concerns raised by stakeholders and is able to address them to the satisfaction of the majority of stakeholders and relevant agencies.

At a minimum, consultation should include an appropriate level of stakeholder discussions, consisting of two-way communication of the project details as they are developed and potential environmental and social effects, with sufficient time to receive and address public concerns prior to completion of project activities.

2.8 Coordinating the Regulatory Process

In addition to the background information and references provided throughout this Guide and through the Mining Gateway, recent changes to the provincial government’s internal processes for managing approval and permit requirements have been developed, to facilitate a timelier and more efficient project planning and approvals process.

2.8.1 ‘One Window’ Coordination Process

Development work has been completed on a new ‘One Window’ coordination process, establishing MNDM as the lead ministry responsible for coordinating the process leading to the issuance of all provincial mineral development permits in Ontario. A copy of the framework document that describes the process can be viewed at The Mining Gateway. A related initiative, under development as of writing, involves using a risk-based approach to determine if more optimal processes are available for granting permits and approvals that deal with low risk mineral development activities.

The various provincial government ministries involved with the regulation of mineral development projects in Ontario have also developed and implemented their own one-window protocols for managing their various permit and approvals procedures. The intended outcome is the improvement of client service through clearer and more efficient processes.

2.8.2 MNDM Resources

As part of its mandate to encourage sustainable development of mineral development projects in Ontario, the Ontario MNDM provides many written resources, tools such as guides, maps and databases as well as area experts to advise mineral development project planners throughout the life of their projects. Specifically, the Mines and Minerals Division works to generate new wealth and benefits for the residents of
Ontario by providing basic geological information gathering and interpretation in support of Ontario’s exploration, mine development and mining sectors and the administration of Ontario’s *Mining Act* in a fair and consistent fashion.

MNDM’s head office is located in Sudbury, Ontario, Canada. Here, staff of the various MNDM branches collect, analyze and publish information about the state of the mining and mineral industries in Ontario, as well as information about the specific location and quality of mineral deposits.

Field staff located throughout the province provide consultative services to the industry through all phases of the mining sequence, and include resident geologists and mining recorders.

In addition, within the main regional offices of Sudbury, Timmins and Thunder Bay, MNDM provides the services of Mineral Development Coordinators. The role of the Mineral Development Coordinator is to promote advanced exploration and new mine development and assist mining industry clients throughout the permitting process by:

- providing information and advice on permitting requirements;
- bringing the proponent together with all relevant ministries in the early stages of project planning to discuss and facilitate permitting concerns;
- advising and assisting with public and First Nation consultation; and
- assisting with the resolution of project challenges.

Mineral Development Coordinators can be reached at your nearest MNDM Mineral Development office:

<table>
<thead>
<tr>
<th>Location</th>
<th>Contact</th>
<th>Tel. #</th>
<th>E-Mail Address</th>
</tr>
</thead>
<tbody>
<tr>
<td>Thunder Bay</td>
<td>Mike Grant</td>
<td>(807) 475-1746</td>
<td><a href="mailto:mike.grant@ontario.ca">mike.grant@ontario.ca</a></td>
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<tr>
<td>Timmins</td>
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<td><a href="mailto:gord.yule@ontario.ca">gord.yule@ontario.ca</a></td>
</tr>
</tbody>
</table>

The Sudbury office is located at: 933 Ramsey Lake Road, 6th Floor, Sudbury, ON P3E 6B5
The Thunder Bay office is located at: Suite B002, 435 James Street South, Thunder Bay, ON P7E 6S7
The Timmins office is located at: 5520 Highway 101 East, South Porcupine, ON P0N 1H0
3.0 Navigating the Regulatory Process

Navigating the regulatory process includes consideration of provincial and federal laws, as well as local municipal bylaws that govern, or may govern, mineral development in Ontario. As described throughout this Guide, the specific permits and approvals to which a mineral project may be subject will depend on the specific features of the proposed project and its location in the social and environmental landscape. Appendices A to E provide an overview of 48 potential approvals processes associated with specific mine development activities, organized according to the appropriate mining cycle stage:

Appendix A - Exploration
Appendix B - Advanced Exploration
Appendix C - Mine Development
Appendix D - Mine Production
Appendix E - Mine Closure

This summary of approvals processes for mining activities is designed to provide a general understanding of the applicable legislation; the agencies that provide the approval or permit and can provide guidance; the issues involved; and additional sources of information required to successfully proceed through the approvals process.

Information provided in the appendices includes:

- **Activity** – The mining activity that has the potential to trigger requirement for an agency permit or approval;
- **Permit** – the type or name of approval required;
- **Issuing Agency** – the regulatory body responsible for reviewing the submitted information or application and for giving the formal approval to proceed with the activity;
- **Act** – the legislation that provides the authority for the required permit or approval, with a link to the full text of the enacting legislation;
- **Regulations** – the applicable regulation(s), if any, that specify the details on the permitting process and requirements;
- **Triggers** – specifics of the proposed activity that trigger the approval requirement;
- **Exemptions** – any specifics of the activity that exempt it from the specified approval process;
- **Critical Information Required** – key data and information, content and format, that must be provided in order for an approval to be granted;
- **Other Information Sources** – links to documents that provide guidance for this approval;
- **Professional Advice** – suggestions for support resources to successfully complete this approval.
### Appendix A. Permit Navigation System - EXPLORATION / MINING CYCLE STAGE: Exploration

<table>
<thead>
<tr>
<th>No.</th>
<th>Activity</th>
<th>Permit / Approval</th>
<th>Issuing Agency</th>
<th>Act</th>
<th>Regulations</th>
<th>Triggers (if any)</th>
<th>Exemptions (if any)</th>
<th>Critical Information Required</th>
<th>Other Information Sources</th>
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</thead>
</table>
| A01 | Water crossing | Work Permit | Ministry of Natural Resources (MNR) | Public Lands Act | Ont. Reg. 975/90 – Work Permits - road or building construction on public lands (including water shore lands) <br>Ont. Reg. 453/96 – Work Permit – Construction – for construction of road facility to enable crossing of a water body | Any work on water crossings (e.g., culvert installation, construction of a bridge, causeway or seasonal ice bridge) | None | Location of crossing, description of work, etc. | MNR work permit application and process | • Certified hydrogeologist  
• Professional engineer  
• Appropriate contacts at government  
• MNR Information Services and Offices |
| A02 | Water crossing - construction of a dam | Approval | Conservation Authority (where exist) or Ministry of Natural Resources (MNR) | Lakes & Rivers Improvement Act | Ont. Reg. 454/96 - Construction | Work on water crossings that involves building a dam (e.g., culvert installation, construction of a bridge or causeway) | Not required if the Public Lands Act applies (work permit) | Location of crossing, description of work, etc. | MNR Information Services and Offices | • Certified hydrogeologist  
• Professional engineer  
• Appropriate contacts at government |
| A03 | Water crossing that includes a dam that holds back, forwards or diverts water | Work Permit | Ministry of Natural Resources (MNR) | Public Lands Act | Ont. Reg. 975/90 – Work Permits - road or building construction on public lands (water shore lands) <br>Ont. Reg. 453/96 – Work Permit – Construction – for construction of road facility to enable crossing of a water body | Any work on water crossings (e.g., culvert installation, construction of a bridge or causeway) | Not required if the Public Lands Act applies (work permit) | Location of crossing, description of work, etc. | Department of Fisheries and Oceans – Working in or around water | • Certified hydrogeologist  
• Professional engineer  
• Appropriate contacts at government  
• MNR Information Services and Offices |
| A04 | Construction or upgrading of roads on Crown land | Work Permit | Ministry of Natural Resources (MNR) | Public Lands Act | Ont. Reg. 975/90 – Work Permits - for road or building construction on public land (Crown land) | Any work that involves upgrading of existing roads or building of new roads or trails on Crown land | Description of work type, timing, location | work permit application | • Professional engineer  
• Appropriate contacts at government  
• MNR Information Services and Offices |
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</thead>
<tbody>
<tr>
<td>A05</td>
<td>Water crossing of a navigable</td>
<td>Approval</td>
<td>Transport Canada</td>
<td>Navigable Waters Protection Act</td>
<td>Navigable Waters Works Regulations</td>
<td>Any work for crossing of a navigable waterbody that may interfere substantially with navigation; e.g., construction of a bridge, boom, dam or causeway, dumping of fill or excavation of materials from the river bed, placement of any telegraph, power cable, wire, structure or device</td>
<td>Design of proposed works, location, structure, etc.</td>
<td>Transport Canada Regional Offices</td>
<td>Information on Working In and Around Water (fish habitat management requirements, DFO)</td>
<td>Aquatic biologist • Professional engineer • Appropriate government contacts</td>
</tr>
<tr>
<td></td>
<td>river</td>
<td></td>
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<td></td>
<td></td>
<td></td>
<td></td>
<td>Approval Process</td>
<td></td>
</tr>
<tr>
<td>A06</td>
<td>Water crossing</td>
<td>Fish Habitat</td>
<td>Department of Fisheries and Oceans (DFO) or Conservation Authorities, on behalf of DFO, where agreement exists</td>
<td>Fisheries Act</td>
<td>Fishery (General) Regulations (SOR/93-53)</td>
<td>Work on water crossings or work near water that is fish habitat</td>
<td>Detailed description of work, location, timing, diagrams, purpose, etc.</td>
<td>Information on Working In and Around Water (fish habitat management requirements, DFO)</td>
<td>Work Authorization Process Application for Authorization for Works or Undertakings Affecting Fish Habitat</td>
<td>Aquatic biologist • DFO Regional Offices • Contact Information • Location and Contacts for Conservation Authorities</td>
</tr>
</tbody>
</table>
## Appendix A. Permit Navigation System - EXPLORATION / MINING CYCLE STAGE: Exploration

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</thead>
</table>
| A07 | Trenching, stripping or drilling in designated environmentally sensitive areas | Work Permit | Ministry of Natural Resources (MNR) | Public Lands Act | Ontario Regulation 349/98 Work Permit – Disruptive Mineral Exploration Activities | Special requirements for staking and exploration within Temagami area; potential activities in other designated environmentally sensitive areas identified within Schedule 1 of the above regulation | Description of proposed works – timing, location, nature | Working on Crown Land | • Biologist  
  • MNR District Contact Information  
  • MNDM Regional Land Use Geologists |
| A08 | Tree removal for road building, or advanced exploration activities of stripping, trenching or drilling | Timber Cutting Licence | Ministry of Natural Resources (MNR) | Crown Forest Sustainability Act | N/A | Tree removal on Crown land | Location of proposed works | Working on Crown Land Fact Sheet  
  Ontario’s Forest Licensing System | • MNR District Offices -  
  • MNDM Regional Land Use Geologists |
| A09 | Exploration activities – significant drilling, stripping or trenching | Official Plan Amendment or Zoning Bylaw Amendment | Municipality within which the site for the proposed activity falls | Planning Act | Applicable legal documents - Municipal Official Plans and Zoning By-Laws approved under the Planning Act | Proposed change in land use that is currently not allowed for the site under current land use designation and zoning | Current designated and zoned land use may allow the proposed mine development activities | Geographic location and nature of proposed activities | Ministry of Municipal Affairs and Housing Citizen’s Guides to Land Use Planning  
  Municipal jurisdictions and contact information | • Municipal Land Use Planner for the relevant area  
  • Professional Planner  
  • MNDM Regional Land Use Geologists |
## Appendix A. Permit Navigation System - EXPLORATION / MINING CYCLE STAGE: Exploration

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</tr>
</thead>
<tbody>
<tr>
<td>A10</td>
<td>Burning of removed vegetation from road building, stripping, trenching or drilling</td>
<td>Burning Permit</td>
<td>Ministry of Natural Resources (MNR)</td>
<td>Forest Fire Prevention Act</td>
<td>Ontario Regulation 207/96 Outdoor Fires</td>
<td>Burning of removed vegetation</td>
<td>Activity timing, location</td>
<td>MNR Forest Fire Management Information</td>
<td>MNR Fire Management Contacts</td>
<td></td>
</tr>
<tr>
<td>A11</td>
<td>Drilling on or adjacent to provincial highways</td>
<td>Encroachment Permit</td>
<td>Ontario Ministry of Transportation (MTO)</td>
<td>Public Transportation and Highway Improvement Act</td>
<td>Drilling activity that may impact upon the highway or its right-of-way</td>
<td>Location and description of proposed works near highway; determine if works may impact other infrastructure along highway (phone, pipes)</td>
<td>Encroachment Permit Application Background Information on Encroachment Permits</td>
<td>MTO Corridor Management Office</td>
<td></td>
<td></td>
</tr>
<tr>
<td>A12</td>
<td>Exploration activities on First Nation reserves</td>
<td>Permit to Explore</td>
<td>Indian and Northern Affairs Canada</td>
<td>Indian Act</td>
<td>Indian Mining Regulations</td>
<td>Exploration activities on lands of a First Nation reserve</td>
<td>Location of the proposed activity</td>
<td>Maps of aboriginal communities</td>
<td>INAC Offices in Ontario</td>
<td></td>
</tr>
</tbody>
</table>
## Appendix A. Permit Navigation System - EXPLORATION / MINING CYCLE STAGE: Exploration

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</thead>
</table>
| A13 | Bulk sampling to test mineral materials | Permission to test material; Closure plan (see above) | Ministry of Northern Development and Mines (MNDM) | Mining Act Section 52 | Ont. Reg. 240/00 – Mine Development and Closure under Part VII of the Act | Proposed removal of a mineral-bearing substance for the purpose of testing mineral content | Samples less than 10 tonnes that are not precious or semi-precious minerals | • Claim data  
• Permission of surface rights holder  
• Map  
• Type / amount of material to be excavated  
• Testing purpose  
• Approach and timing of activities  
• Disposal methods  
• Safety and rehabilitation measures  
• Financial assurance | Application Instructions for Bulk Sampling on Unpatented Mining Claims under Section 52 of the Mining Act  
MNMD Mineral Development Section | • MNDM Mineral Development Section |
| A14 | Purchase and possession of blasting explosives | Blasting Explosives Purchase and Possession Permit (Previously Form 20) | Natural Resources Canada (NRCan) – Explosives Regulatory Division (ERD) | Explosives Act Section 7 | | Personal use (not for sale or transfer) of blasting explosives in a quantity of 75 kg or less, or 100 detonators, for road building, trenching | Proposed type and use of explosives | | NRCan Information on Explosives Licensing Information on Permits Relevant application forms and Guidelines | • NRCan Explosives Regulatory Division Contacts |
### Appendix A. Permit Navigation System - EXPLORATION / MINING CYCLE STAGE: Exploration

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<tbody>
<tr>
<td>A15</td>
<td>Establishment of explosives storage facility</td>
<td>Licence for Explosives Magazine (Form 10)</td>
<td>Natural Resources Canada (NRCan) – Explosives Regulatory Division (ERD)</td>
<td>Explosives Act Section 7</td>
<td>None</td>
<td>Required for constructing or maintaining an explosives magazine</td>
<td>Location of facility, quantities to be transported and stored</td>
<td>NRCan Information on Explosives Licensing Information on Permits Relevant application forms and Guidelines Form 10</td>
<td>NRCan Explosives Regulatory Division Contacts</td>
<td></td>
</tr>
<tr>
<td>A16</td>
<td>Construction of semi-permanent buildings</td>
<td>Work Permit</td>
<td>Ministry of Natural Resources (MNR)</td>
<td>Public Lands Act</td>
<td>Ont. Reg. 453/96 – Work Permit – Construction – for construction of buildings on public land</td>
<td>Construction of buildings on public land</td>
<td>Not required if the Public Lands Act applies (work permit)</td>
<td>Description of work, etc.</td>
<td>Working on Crown Land Fact Sheet</td>
<td>Professional engineer • Appropriate contacts at government • MNR Information Services and Offices</td>
</tr>
<tr>
<td>A17</td>
<td>Establishment of commercial signage on provincial highway</td>
<td>Commercial Signage Permit</td>
<td>Ministry of Transportation (MTO) – Corridor Management</td>
<td>Public Transportation and Highway Improvement Act</td>
<td>Commercial signs placed near a highway</td>
<td>Application form, fee, copies of proposed signage</td>
<td>MTO Commercial signage information Commercial Sign Permit application</td>
<td>MTO Corridor Management Offices</td>
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<tr>
<td>A18</td>
<td>Buildings on or near a highway corridor</td>
<td>Building / Land Use Permit</td>
<td>Ministry of Transportation MTO-Corridor Management</td>
<td>Public Transportation and Highway Improvement Act, S. 34</td>
<td>Building near highways</td>
<td>Application, plans for proposed work, fee, proof of commercial zoning</td>
<td>MTO Corridor Management Offices</td>
<td></td>
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<tr>
<td>A19</td>
<td>Establishment of entrance to a provincial highway</td>
<td>Entrance Permit</td>
<td>Ministry of Transportation MTO-Corridor Management</td>
<td>Public Transportation and Highway Improvement Act</td>
<td>Requirement for a new or upgraded road entrance onto a provincial highway / highway interference or obstruction</td>
<td>Application for Entrance Permit</td>
<td>MTO Corridor Management Offices</td>
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<tr>
<td>A20</td>
<td>Encroachments on the MTO right-of-way</td>
<td>Encroachment Permit</td>
<td>Ministry of Transportation MTO-Corridor Management</td>
<td>Public Transportation and Highway Improvement Act</td>
<td>Activities within 45 metres of the highway may be controlled for safety considerations</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>• MTO Corridor Management Offices</td>
</tr>
</tbody>
</table>

Note: In addition to the permits and licences regarding use of explosives, mineral development projects may also require a Project Premises Identification Number (PPID#), and/or a Notice of Use and Storage, both of which fall under the Ministry of Labour’s Occupational Health and Safety Act.
## Appendix B. Permit Navigation System - EXPLORATION / MINING CYCLE STAGE: Advanced Exploration

<table>
<thead>
<tr>
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<tbody>
<tr>
<td>B01</td>
<td>Significant stripping and trenching</td>
<td>Closure Plan</td>
<td>Ministry of Northern Development and Mines (MNDM)</td>
<td>Mining Act</td>
<td>Mining Act Ont. Reg. 240/00 – Section 11</td>
<td>Advanced exploration activities require filing of a closure plan (section 140 of the Mining Act) Advanced Exploration is defined in section 139 of Mining Act</td>
<td>N/A</td>
<td>Project description: • current project site conditions (land use, surface waters, ground waters, terrestrial and aquatic biology) • site history / potential mine hazards or contamination) Planned rehabilitation measures Monitoring Site conditions after close out</td>
<td>MNDM Mineral Development Section • Rehabilitation Compliance and Inspection Office</td>
</tr>
</tbody>
</table>
### Appendix B. Permit Navigation System - EXPLORATION / MINING CYCLE STAGE: Advanced Exploration

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</table>
| B03      | Construction of dams, dykes or diversions, including tailings dams | Location approval, plans and specification approval | Conservation Authority, where one exists, or Ministry of Natural Resources (MNR) | Lakes & Rivers Improvement Act | Retaining / diverting structures and channels | Not required if the Public Lands Act applies (i.e. for work permit) | Description of site, description of proposed activity | MNR Information Services and Offices Conservation Authority Offices | • Certified hydrogeologist  
• Professional engineer |
| B04      | Construction of dams, dykes or diversions, including tailings dams | Fish Habitat Authorization | Department of Fisheries and Oceans (DFO) or Conservation Authorities, on behalf of DFO, where agreement exists | Fisheries Act | Potential for harmful alteration, disturbance or destruction of fish habitat | Description of site, proposed activity, project rationale, equipment, timeframe, potential impacts, mitigating measures | Information on Working In and Around Water (fish habitat management requirements, DFO) Work Authorization Process Application for Authorization for Works or Undertakings Affecting Fish Habitat | | • Aquatic biologist  
• DFO Regional Offices Contact Information  
• Location and Contacts for Conservation Authorities  
• Department of Environment  
• Ontario Ministry of Environment  
• Ontario Environmental Assessment Act Environmental Assessment Branch MOE |
| B05      | Development of an electrical power generating facility | Environmental Assessment approval | Ontario Ministry of Environment | Ont. Reg. 116 – Electricity Projects (individual EA for Power Generation Facilities) | Screening level assessment for diesel generation facilities >1MW and <5 MW EA for diesel generation >5 MW | Detailed project description for facility, size, location, power generation Environmental inventory and impact assessment | Overview of EA process Guide to EA Requirements for Electricity Projects | | • Professional engineer  
• Relevant environmental specialists (biologists, air quality, etc.)  
• Environmental Assessment Branch MOE |
### Appendix B. Permit Navigation System - EXPLORATION / MINING CYCLE STAGE: Advanced Exploration

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</table>
• Relevant environmental specialists (biologists, air quality, etc.)  
• Environmental Assessment Branch, Ministry of Environment |
| B07      | Mineral collection export of mineral specimens | Export Permit | Canadian Heritage | Cultural Property Export and Import Act: | Export of mineral specimens on Canadian Cultural Property Export Control List | Information with respect to exporter, receiver, dates, value, etc. | | | • Canadian Heritage Movable Cultural Property Program  
• Canadian Heritage Movable Cultural Property Program Regional Offices |
| B08      | Settling ponds, tailings dams, etc. | Certificate of Approval – Industrial Sewage Works | Ontario Ministry of Environment | Environmental Protection Act  
Ontario Water Resources Act, s. 53 | Sewage works greater than 10,000 litres per day | Pre-application consultation to define environmental objectives, e.g., effluent requirements, characterisation, source of raw water, special approvals, level of public consultation / notification | | | • Sewage Works Certificate of Approval Application form  
• Guide to Applying for Industrial Sewage Works  
• MOE Environmental Assessment and Approvals Branch |
### Appendix B. Permit Navigation System - EXPLORATION / MINING CYCLE STAGE: Advanced Exploration

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<tbody>
<tr>
<td>B09 Discharging emissions to air (including noise)</td>
<td>Certificate of Approval – Air and Noise</td>
<td>Ontario Ministry of Environment</td>
<td>Environmental Protection Act</td>
<td>Ont. Reg. 419/05 Air Pollution – Local Air Quality, Ont. Reg. 337 – Ambient Air Quality Criteria</td>
<td>Discharge of an airborne contaminant into the natural environment, including noise</td>
<td></td>
<td>Air Emissions Certificate of Approval Application form, Guide to Applying for Approval (Air Noise)</td>
<td></td>
<td>MOE Environmental Assessment and Approvals Branch</td>
</tr>
<tr>
<td>B10 Waste generation</td>
<td>Generator Registration Report</td>
<td>Ontario Ministry of Environment</td>
<td>Environmental Protection Act</td>
<td>Ont. Reg. 347/90 – General – Waste Management – Sections 18 to 27 (Registration, Manifests) (i.e., generator, carrier and receiver requirements)</td>
<td>Storage and transportation of hazardous wastes. Type / amount of waste is registerable or hazardous as defined in Ont. Reg. 347</td>
<td></td>
<td>Hazardous Waste Information Network</td>
<td></td>
<td>Ministry of Environment Regional and District Offices</td>
</tr>
<tr>
<td>B11 Taking water (pumping, draining, dewatering)</td>
<td>Permit to Take Water (&gt;50,000 L)</td>
<td>Ontario Ministry of Environment</td>
<td>Ontario Water Resources Act, s. 34</td>
<td>Ont. Reg. 387/04 – Water Taking</td>
<td>Taking more than 50,000 litres/day. &lt; 50,000 litres/day</td>
<td></td>
<td>Permit to Take Water Application form and guidelines, Information on Water Taking</td>
<td></td>
<td>Ministry of Environment Regional and District Offices</td>
</tr>
<tr>
<td>B12 Collection and possession of fish or other wildlife for scientific purposes</td>
<td>Authorization to Collect Fish for Scientific Purposes</td>
<td>Ministry of Natural Resources (MNR)</td>
<td>Fish and Wildlife Conservation Act, s. 39</td>
<td>Ont. Reg. 664/98 – Fish Licensing – Part IV Miscellaneous – Section 34.1</td>
<td>Collection of fish for testing (e.g., for environmental baseline studies)</td>
<td></td>
<td></td>
<td></td>
<td>MNR District Office</td>
</tr>
</tbody>
</table>

Note: All projects should be evaluated on a case-by-case basis. Some permits and authorizations required in other Appendices may be equally appropriate to the advanced exploration stage of the mining cycle. In particular, MNR work permits described in Appendix A on lines A01, A03, A04, A07 and A16 may be necessary at this stage, as well as permits and licences described on lines A13 (Permission to test material), A15 (Licence for Explosives Magazine), A17 (Commercial Signage Permit), A18 (Building/Land Use Permit), A19 (Entrance Permit) and/or A20 (Encroachment Permit) may apply at this stage. An Advanced Exploration Closure Plan may be required under Part VII of the Mining Act, and where use of explosives is planned, mineral development projects may also require a Project Premises Identification Number (PPID#), and/or a Notice of Use and Storage, both of which fall under the Ministry of Labour’s Occupational Health and Safety Act.
### Appendix C. Permit Navigation System - EXPLORATION / MINING CYCLE STAGE: Mine Development

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</thead>
</table>
| C01      | Building         | Building Permit - municipality | Municipality within which the project is located, under authority of Ministry of Municipal Affairs and Housing | Building Code Act Section 8 – Construction and Demolition, Building Permits | Bylaw(s) of relevant municipality | Construction of facilities for development of mine operations | Construction of buildings | Site plan and building design | Ontario Building Code and associated publications | • Municipal Chief Building Official Staff – locate through Association of Municipalities of Ontario (AMO)  
• Ministry of Municipal Affairs and Housing – Building Code information |
|          | construction     |                |     |             |                  |                   |                          |                         |                   |
| C02      | Building         | Class Environmental Assessment (EA) for Resource Stewardship and Facility Development | Ministry of Natural Resources (MNR) | Environmental Assessment Act | Acquisition of Crown land for buildings, facilities, roads and water crossings | Project description, location, timing, potential impacts and mitigation measures |                          | Guidance Document - Class EA for MNR Resource Stewardship and Facility Development Projects | MNR District Offices |
|          | construction on  |                |     |             |                  |                   |                          |                         |                   |
|          | Crown land       |                |     |             |                  |                   |                          |                         |                   |
| C03      | Building         | Land Use Permit | Land Use Permit | Public Lands Act | When land tenure is required to use Crown land for building | Location and proposed project details |                          | MNR Crown Land Management  
MNR Crown Land Use Policy Atlas  
MNR Crown Land Use and Environmental Planning in Ontario | MNR District Offices |
|          | construction on  |                |     |             |                  |                   |                          |                         |                   |
|          | Crown land       |                |     |             |                  |                   |                          |                         |                   |
|          | with need for    |                |     |             |                  |                   |                          |                         |                   |
|          | land tenure      |                |     |             |                  |                   |                          |                         |                   |
### Appendix C. Permit Navigation System - EXPLORATION / MINING CYCLE STAGE: Mine Development

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<tbody>
<tr>
<td>C04</td>
<td>Mine site development with federal interest</td>
<td>Environmental Assessment Approval</td>
<td>Canadian Environmental Assessment Agency</td>
<td>List of Regulations under CEAA</td>
<td>Any project proposed on federal land, supported by federal program or subject to federal legislation</td>
<td>Private mining projects are not usually designated for federal EA requirements</td>
<td>Project description, impact assessment, proposed mitigation measures</td>
<td>Description of Environmental Assessments under CEAA</td>
<td>• CEAA staff in Regional Offices • Ontario Ministry of Environment EA staff</td>
</tr>
<tr>
<td>C06</td>
<td>Facility construction - construction adjacent to or on a provincial highway</td>
<td>Class Environmental Assessment Approval</td>
<td>Ministry of Transportation</td>
<td>Environmental Assessment Act</td>
<td>Construction or realignment of a provincial highway</td>
<td>Proposed activities, alternatives, location, impact upon environment</td>
<td></td>
<td>Guidance Document - Class EA for Provincial Transportation Facilities</td>
<td>• MTO Contact information</td>
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### Appendix C. Permit Navigation System - EXPLORATION / MINING CYCLE STAGE: Mine Development

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<thead>
<tr>
<th>Activity</th>
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<tbody>
<tr>
<td>C07 Facility construction on First Nation Reserve land</td>
<td>Permit to Construct Facilities on First Nation Reserve Lands</td>
<td>Indian and Northern Affairs Canada (INAC)</td>
<td>Indian Act</td>
<td>Indian Mining Regulations</td>
<td>Construction of any facilities on First Nation reserve lands</td>
<td></td>
<td>Project description, rationale, proposed location</td>
<td></td>
<td>INAC Offices in Ontario</td>
</tr>
<tr>
<td>C08 Mine site development</td>
<td>Pre-development review process</td>
<td>Ministry of Labour</td>
<td>Occupational Health and Safety Act</td>
<td>Occupational Health and Safety Act - Ont. Reg. 854/90 – Mines and Mining Plants</td>
<td>Requires safety and procedures review of project prior to development</td>
<td></td>
<td></td>
<td></td>
<td>Ministry of Labour Offices</td>
</tr>
<tr>
<td>C09 Tax exemption for a remote mine</td>
<td>Certification of a remote mine</td>
<td>Ministry of Finance</td>
<td>Mining Tax Act</td>
<td>Mining Tax Act Sections 3 to 8:</td>
<td>Mine developed after May 7, 1996; closure plan for the mine under Part VII of the Mining Act; at least 30 kilometres between the pit’s mouth and the nearest all-year road or railway able to meet mine’s transportation requirements</td>
<td>Application form for Certification of a Remote Mine</td>
<td></td>
<td>MNDM Mineral Development Section, Chartered Accountant</td>
<td></td>
</tr>
<tr>
<td>C10 Airstrip</td>
<td></td>
<td>Transport Canada</td>
<td></td>
<td></td>
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<td></td>
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<td></td>
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</tr>
</tbody>
</table>

- Note: All projects should be evaluated on a case-by-case basis. Some permits and authorizations required in other Appendices may be equally appropriate to the mine development stage of the mining cycle. In particular, permits described in Appendix A, lines A17 (Commercial Signage Permit) and A19 (Entrance Permit) may apply at this stage.
## Appendix D. Permit Navigation System - EXPLORATION / MINING CYCLE STAGE: Mine Production

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<tbody>
<tr>
<td>D01 Aggregate Extraction</td>
<td>Aggregate Permit / Licence</td>
<td>Ministry of Natural Resources (MNR)</td>
<td>Ontario Aggregate Resources Act (ARA)</td>
<td>Ontario Regulation 244/97 (amended to Ont. Reg. 209/04)</td>
<td>Licence required for removal of aggregate from a pit or quarry</td>
<td>Any private lands not listed in the regulations</td>
<td>MNR Information on Aggregate Resources</td>
<td>MNR District Offices</td>
<td></td>
</tr>
<tr>
<td>D02 Development of mining process facilities with emissions to water</td>
<td>Certificate of Approval</td>
<td>Ontario Ministry of Environment</td>
<td>Ontario Environmental Protection Act</td>
<td></td>
<td>Discharge of industrial wastewaters to surface water as a result of industrial process</td>
<td></td>
<td>Waste Disposal Site and Waste Management System Certificates of Approval Information Waste Certificate of Approval Application Form</td>
<td>Professional engineer, air monitoring and pollution control MOE Environmental Assessment and Approvals Branch Ministry of Environment Regional and District Offices</td>
<td></td>
</tr>
<tr>
<td>D03 Waste management – water disposal of dredged materials</td>
<td>Permit to Dispose of Waste (Dredging) in Canadian Marine Waters</td>
<td>Environment Canada</td>
<td>Canadian Environmental Protection Act</td>
<td>Disposal at Sea Regulations Regulations Respecting Applications for Permits for Disposal at Sea Ocean Dumping Permit Fee Regulation</td>
<td>Disposal of dredged materials in waterways if in federal marine waters</td>
<td>Description of disposal site, materials to be disposed of, quantity, route, equipment, carrier, etc.</td>
<td>Permit application for marine disposal of dredged materials</td>
<td>Environment Canada</td>
<td></td>
</tr>
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<tr>
<td>D04 Waste management – waste disposal site construction and operation</td>
<td>Certificate of Approval</td>
<td>Ontario Ministry of Environment</td>
<td>Environmental Protection Act</td>
<td>Proposed construction of a waste disposal site</td>
<td>Description of quantity and quality of waste to be generated, handling and disposal details</td>
<td>Waste Disposal Site and Waste Management System Certificates of Approval Information</td>
<td>Ontario Ministry of Environment Environmental Protection Act</td>
<td>Professional engineer, air monitoring and pollution control</td>
<td></td>
</tr>
<tr>
<td>D05 Establishment of tailings facility for waste management – tailings dam construction OR Sewage treatment facility construction and operation</td>
<td>Certificate of Approval – Industrial Sewage Works</td>
<td>Ontario Ministry of Environment</td>
<td>Environmental Protection Act</td>
<td>Proposed construction of a tailings facility for waste management; facility development that would result in discharge of domestic sewage to surface water or ground</td>
<td>Description of quantity and quality of waste to be generated, handling and disposal details facility design</td>
<td><em><strong>SEE APPENDIX B, LINE B08 FOR INFORMATION RE INDUSTRIAL SEWAGE WORKS CERTIFICATE OF APPROVAL</strong></em></td>
<td>Environmental Protection Act</td>
<td>Professional engineer, air monitoring and pollution control</td>
<td></td>
</tr>
<tr>
<td>D06 Transportation of explosives</td>
<td>Permit</td>
<td>Natural Resources Canada (NRCan) – Explosives Regulatory Division (ERD)</td>
<td>Explosives Act Section 7</td>
<td>Required for constructing or maintaining an explosives magazine</td>
<td>Location of facility, quantities to be transported and stored</td>
<td>NRCan Information on Explosives Licensing Information on Explosives Permits Relevant application forms and Guidelines</td>
<td>NRCan Explosives Regulatory Division Contacts</td>
<td>Regulator, air monitoring and pollution control</td>
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### Appendix D. Permit Navigation System - EXPLORATION / MINING CYCLE STAGE: Mine Production

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<tr>
<td>Permit of Equivalent Level of Safety</td>
<td>Transport Canada (TC) – Transport Dangerous Goods Directorate</td>
<td>Transportation of Dangerous Goods Act</td>
<td>Transportation of Dangerous Goods Regulations, Part 14</td>
<td>There is no obligation on any person to apply for a permit for equivalent level of safety to handle, offer for transport or transport dangerous goods. However, if a person wants to conduct an activity in a way that is not consistent with the Act or Regulations, the person must apply for a permit for equivalent level of safety to do so under section 31 of the Act.</td>
<td>A description of the dangerous goods, the method of packaging, modes of transport, timelines / schedule, safe handling procedures, etc. Must show that the way in which the activity will be carried on will provide a level of safety equivalent to complying with the Regulations.</td>
<td>Transportation of Dangerous Goods Primers</td>
<td></td>
<td>• Transport Dangerous Goods Directorate</td>
<td></td>
</tr>
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| D07 | Construction or relocation of a highway | Class Environmental Assessment Approval | Ministry of Transportation | Environmental Assessment Act | Construction or realignment of a provincial highway | Proposed activities, alternatives, location, impact upon environment | Guidance Document - Class EA for Provincial Transportation Facilities | | • MTO Contact information • Professional engineer |

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## Appendix D. Permit Navigation System - EXPLORATION / MINING CYCLE STAGE: Mine Production

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<tr>
<td>D08</td>
<td>Construction of a hydrocarbon pipeline</td>
<td>Order Granting Leave to Construct a Hydrocarbon Pipeline</td>
<td>Ontario Energy Board</td>
<td>Ontario Energy Board Act</td>
<td>N/A</td>
<td>If size of the pipeline is &gt;20 km in length, if any portion of the line is 12 inches or more in diameter, if the pipeline has an operating pressure of 2,000 kilopascals or more, or other criteria prescribed by regulations</td>
<td>Environmental impact assessment of proposed pipeline</td>
<td>Environmental Guidelines for the Location, Construction and Operation of Hydrocarbon Pipelines and Facilities in Ontario</td>
<td>Relevant environmental specialists, Ontario Energy Board</td>
</tr>
<tr>
<td>D09</td>
<td>Processing of minerals outside of Canada</td>
<td>Domestic Processing Exemption Mining Act Section 91 exemption</td>
<td>Ministry of Northern Development and Mines (MNDM)</td>
<td>Mining Act Section 91 (1), (3)</td>
<td>Required to process ore outside of Canada</td>
<td>Rationale for exemption: where ores/ minerals are to be treated; why they cannot be treated in Canada; amount and description of ores / minerals; description of source location(s); time of exemption</td>
<td>MNDM Domestic Processing Requirement/ Exemption</td>
<td>MNDM Mineral Development Section</td>
<td>*</td>
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Appendix D. Permit Navigation System - EXPLORATION / MINING CYCLE STAGE: Mine Production

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<td>D10</td>
<td>Export and import of rough diamonds</td>
<td>Kimberley Process Certificate for Diamonds</td>
<td>NRCan – Kimberley Process Office</td>
<td>Export and Import of Rough Diamonds Act</td>
<td>Regulations SOR/2003-15</td>
<td>All rough diamonds being traded between Kimberley Process participants under Customs Tariff Subheadings 7102.10, 7102.21 and 7102.31 must be accompanied by a Kimberley Process certificate</td>
<td>Information regarding the origin of the diamonds, their mass and value, the exporter and destination</td>
<td>Kimberly Process Certificate Application form Information on Kimberley Process</td>
<td>• Kimberley Process Office, NRCan</td>
</tr>
</tbody>
</table>

- Note: All projects should be evaluated on a case-by-case basis. Some permits and authorizations required in other Appendices may be equally appropriate to the mine production stage of the mining cycle. In particular, permits and licences described in Appendix A, lines A15 (Licence for Explosives Magazine) and A19 (Entrance Permit), and in Appendix B, lines B09 (Certificate of Approval – Air and Noise) and B11 (Permit to Take Water) may apply at this stage. As well, Natural Resources Canada requires annual production statistics (on behalf of the Province of Ontario) under Part IX of the Mining Act. Under the Ontario Mining Act, MNDM requires that accurate mine plans be maintained annually. Notices of Material Change and/or of Project Status Changes are also required, should these changes occur. Environment Canada is responsible for administration of the (federal) Metal Mining Effluent Regulations (MMER), which also apply to any mine in Canada.
### Appendix E. Permit Navigation System - EXPLORATION / MINING CYCLE STAGE: Mine Closure

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</table>
| Mine closure                     | E01               | Verification of Closure Plan Completion             | Ministry of Northern Development and Mines (MNDM) | Mining Act                                                               | Completion of closure plan                                                    | Submission of all information required under Part VII of the Act and Regulation |                                |                                  | • MNDM Mineral Development Section  
• Rehabilitation Compliance and Inspection Office                                     |

Note: All projects should be evaluated on a case-by-case basis. Some permits and authorizations required in other Appendices may be equally appropriate to the mine closure stage of the mining cycle. In particular, the Certificate of Approval for Industrial Sewage Works, described in Appendix B, line B08, would apply to long-term monitoring of effluents. As well, under the Ontario Mining Act, MNDM requires that accurate mine plans be maintained annually. Notices of Material Change and/or of Project Status Changes are also required, should these changes occur.