

Multi-Year Area-Based Permitting

Context

The British Columbia Ministry of Energy and Mines and Responsible for Core Reviews' Mines and Mineral Resources Division (MMRD) has historically issued permits on an annual basis for mineral and coal exploration projects to perform specific work on a site. In recent years, a need for increased flexibility has been recognized, and First Nations communities expressed concern regarding responding to referrals for numerous applications in the same permitted area. Thus, there has been a movement toward issuing multi-year area-based (MYAB) work approvals.

Pre-exploration	Exploration	Development	Operation	Closure	Post-closure
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Lead: Government (B.C.)

Step of the Mineral Development Sequence: Exploration

Key Finding: Multi-year area-based (MYAB) permitting can be considered as a good practice in community engagement as it helps avoid “consultation fatigue” and diminishes pressures on limited community resources that have to respond to referrals for numerous applications in the same permitted area.

MYAB permitting is the practice of authorizing exploration activities, typically for up to five years, within identified activity area(s) underlain by the mineral or coal tenure area of the project. Proponents have the flexibility to execute exploration programs over the entire area of the authorization and over the life cycle of the authorization as field results and market conditions dictate. The MYAB Work Program Annual Update tracks consistency with the scope of the approved work program and indicates what portion of the remaining approval may be completed in the upcoming year.

This policy is not intended to place restrictions on the statutory decision-making power of inspectors. Discretion to decide whether or not an MYAB approach is acceptable remains with the inspector based on the nature of the proposed work, including the geographic or geologic conditions of the work area, their experience with the proponent, wildlife, or other values on the land base.

Before January 2013, MYAB permitting was being used in a number of mining-rich regions, but had not yet been properly formalized, communicated, and implemented to its full potential. There were a number of actions taken to help establish MYAB permitting as a more widely used approach to permitting.

Description of Measures Implemented

MYAB permitting was initially piloted out of the Smithers office in the northwest region of the province. As the approach proved to be effective in reducing the number of applications submitted on an annual basis, a broader province-wide policy was established to encourage industry to submit MYAB permit applications.

Between November 2012 and January 2013, the Ministry worked to improve understanding of the value of MYAB permitting and how to implement the policy effectively in each region. The policy was approved and formally implemented in January 2013.

Since the policy was introduced, the MMRD has worked with the Association for Mineral Exploration British Columbia to encourage the exploration industry to move towards MYAB permits.

Results

MYAB permitting promotes the concept of consultation with First Nations in a specific geographic area. This allows the consultation process to address interests in a larger area based on the possibility that a variety of work could occur in the area over a number of years. With the aim of gaining a better understanding of potential impacts on First Nations and/or rights over a larger geographic area, proponents and government are better able to implement appropriate mitigation actions throughout the term of the approval.

An increased number of MYAB permits have streamlined the administrative processes and decreased the number of applications that need to be considered on an annual basis. MYAB permitting provides more certainty to companies by enabling them to commit to longer-term work programs based on overall projected impacts. It has given companies the flexibility to change the sequence of exploration activities and modify exploration plans as field results dictate within the scope of the approved *Mines Act* permit.

The implementation of MYAB permitting has helped eliminate the need for repetitive referrals involving First Nations, communities, clients, MMRD staff, and other government agencies for the same or similar work in a given area. It has improved communications with First Nations through ongoing sharing of information on the progression of approved exploration activities.

Lessons Learned

While activity-specific oversight is important to ensure health and safety, in terms of First Nations consultation and referrals to other agencies, a multi-year, area-based approach is effective in reducing repetitive annual consultation and referrals for the same exploration project. It can be considered a good practice in community engagement as it helps avoid “consultation fatigue” and diminishes pressures on limited community resources that have to respond to referrals for numerous applications in the same permitted area.

For more information:

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