

## Throne Speech and Multi-year Permits Signal “Manitoba is Open for Mining”

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The Fraser Institute publishes an annual survey of mining companies that sets out world rankings of jurisdictions based on attractiveness for mining investment. In 2017, Manitoba was ranked the number two jurisdiction in the world. That ranking dropped precipitously to eighteenth place in 2018, with a sharp drop in mineral development industry confidence.



Many blamed Manitoba’s sharp decline on provincial government policies and practices, especially those that resulted in long delays for the issuance of exploration permits. Much of the delay was the result of a lack of clarity and resourcing in the conduct of Indigenous consultations as a prerequisite to permitting. The promotion of mining activity as a driver of economic development did not seem to be a government priority. As a result, a number of potential projects went by the wayside and investment dollars went elsewhere.

What a difference a few years and a change of leadership make. If recent Manitoba provincial government announcements and the Speech from the Throne are any indication, Manitoba is in store for a period of increased support of, and attention to, the mining sector.

On November 25, 2021, the Honourable Ralph Eichler, Manitoba Minister of Agriculture and Resource Development announced to the attendees of a reception sponsored by the Central Canada Mineral Exploration Convention (CCMEC) that Manitoba is introducing multi-year permitting for mineral exploration projects. Work permits for mineral exploration outside of provincial parks will remain valid for up to three years, with the option of one additional two-year extension. This was confirmed by a government news release issued November 26.

“Our government recognizes that the annual renewal of work permits adds unnecessary red tape for companies pursuing multi-year exploration activities,” said Eichler. “Our government is proud to advance this valuable recommendation from the industry-led Liaison Committee for Mining and Exploration.”

The Minister went on to speak to alignment between permitting and the Indigenous consultation process, “This improvement will ensure that industry and northern and First Nation communities are engaging early on proposed longer term projects which will assist in the planning and information sharing process. It will better align with and support the Crown-

Indigenous consultation process, all of which will better prepare communities and industry to deliver economic benefits, especially in northern Manitoba, through good-paying sector jobs and enhanced business opportunities and partnerships. Working with Indigenous communities is essential as we all achieve more when working together.”

For the industry, this permitting change is a marked improvement over annual exploration permitting. Time frames for obtaining permits were a regular source of frustration. Delays in permitting also created anxiety among exploration companies attempting to meet expenditure deadlines under flow-through financing vehicles.

Perhaps more significant than the announced regulatory change was the message being sent by the Manitoba government’s leadership by their mere presence at the CCMEC reception. Along with Minister Eichler, the reception was attended by the newly sworn in Premier of Manitoba, Heather Stefanson, several of her Cabinet members, and Don Leitch, who is her deputy minister and Manitoba’s chief civil servant. This was a real signal that times have changed, and that mineral development is once again being seen by Manitoba as a priority.

A similar theme was reflected in the Speech from the Throne delivered to the Manitoba Legislature on November 23, 2021. Although just a couple of sentences, the current government gave a clear indication of its direction:

Northern communities and First Nations have abundant mineral resources on their doorsteps, yet mining activity is not what it could be. We are committed to strengthening our efforts to make Manitoba more attractive for investment with expanding job opportunities.

This came with a further stated focus on reconciliation with Indigenous peoples, with mention of the United Nations Declaration on the Rights of Indigenous Peoples as being instructive on the work to be done. The Throne Speech also called for sorting out evolving jurisdictional responsibilities in creating “real economic opportunities for Indigenous people”. Manitoba expressed its commitment to Crown-Indigenous consultation, collaboration and working in partnership with First Nation communities to advance mineral exploration projects and increase Indigenous participation in all phases of mineral development within their traditional territories.

Some of this progress is based on the work of the Manitoba Liaison Committee on Mining and Exploration, an industry-led initiative. The Committee’s report of recommendations released May 2020 called for a number of improvements regarding permitting and approvals, including:

- a “single window access model”, a mandate for inter-departmental cooperation among responsible departments,
- delegating all permitting authority to the Department of Agriculture and Resource Development,
- the extension of work permit terms (discussed above),

- using anniversary dates to set work permit terms,
- allowing flexibility in work permits to avoid having to apply for a new permit and initiate a new consultation process,
- advanced communication of potentially conflicting land uses, including Treaty Land Entitlement selections, provincial parks, protected areas and recreation areas, areas subject to protocols with First Nations, and “permit delayed areas”,
- recognition that not all exploration activities have the same level of impacts, and streamlining approval processes for low-impact activities (e.g., sampling, mapping, and geophysical surveying),
- creation of a “permit guideline handbook” which would standardize government policy related to the issuance of permits, establish approval periods, all based on defined degrees of anticipated impacts of the permitted activity.

To date, a move to a single window access system for permitting has been announced, as has the move to multi-year exploration permits. Those are good first steps. Other initiatives would include adequately resourcing the Department and Manitoba’s Indigenous consultation office to ensure that there is the capacity to deal with applications and the resultant consultation processes in an efficient and expeditious manner. The proof will be in the pudding. In the meantime, all of the ingredients are there for Manitoba’s return as a leading mining jurisdiction.

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