

AGENDA

NORTHERN MINERAL ADVISORY COMMITTEE

NORTH TOWER

LES TERRASSES DE LE CHAUDIERE, HULL

JAN. 11, 1979, RM. 1904

On Jan. 11, 1979, there will be a series of talks by representatives of DIAND programs of concern to the Committee plus one presentation by a representative of M.A.C. About two thirds of each allotted period will be devoted to the talks, the remainder of the time being given up to questions.

10 A.M. Session

10:00 - 11:30 A.M. Land Use Policy

Director General Northern  
Environment, Dr. M.J. Ruel  
and  
Chief, Land Management Division,  
D.J. Gee

11:30 - 12:30 P.M. Parks

Director National Parks Branch,  
S.F. Kun  
and  
Chief, National Parks - Parks &  
System Planning, J.A. Carruthers

12:30 - 2:00 P.M. LUNCH BREAK

All participants are invited to lunch at Le Ruisseau, North East Tower,  
Les Terrasses de la Chaudière.

2 P.M. Session

2:00 - 3:00 P.M. Native Claims

Executive Director Native Claims,  
G.N. Faulkner

3:00 - 4:00 P.M. Land Use Regulations  
Queen's Report

Chief, Land Management Division,  
D.J. Gee

4:00 - 4:30 P.M. Legislative  
Overview

Director Non-Renewable Resources,  
Dr. H.W. Woodward

4:30 - 5:00 P.M. Fiscal Policies

Mineral Economic Research Coordinator  
The Mining Assoc. of Canada, U. Rath

5:00 - Whitepass &  
Yukon

Chief, Northern Economic Analysis  
Division, M. Klein

AGENDA

NORTHERN MINERAL ADVISORY COMMITTEE

NORTH TOWER

LES TERRASSES DE LE CHAUDIERE, HULL

JAN. 12, 1979, RM. 1904

9 A.M. Session

- (1) Discussion of papers presented on January 11
- (2) Possible formation of sub-committees for further study.
- (3) Discussion of policy statement.
- (4) Date and location of future meetings.

NORTHERN MINING ADVISORY COMMITTEE

LAND USE

1. The Northern Program's policy on land use, to date, has generally been based on a concept of "multiple land use", under which all lands are open to a variety of uses, and no priority, or preference, is given to any one. The concept assumes that land use conflicts are either non-existent or, in the environmental circumstances of the North, are capable of resolution through appropriate terms and conditions in Land Use Permits.
2. During the 1970's, several distinct perspectives on northern land use have become evident, each influencing the content of evolving policy on land use.
  - a) The environmental perspective places emphasis on conservation of key areas in the North having unique ecological characteristics, and on protection of wildlife species. This perspective is advanced by environmental groups across the country (Canada Wildlife Federation, Canadian Arctic Resources Committee, etc), and is supported by the many Canadian scientists who participated in the identification of areas of special ecological merit, under the International Biological Program. It is also shared by government agencies with responsibility for protection of wildlife and critical wildlife habitat.
  - b) The National Parks perspective is to continue to expand the National Parks System in the North to the point of having a park in each of the natural regions. Parks Canada policies preclude development of mineral resources within National Parks, and existing mineral rights are gradually acquired once a new park is created.
  - c) The native perspective is reflected in the often stated position of native associations that further exploration and development in the North must await settlement of land claims. It is also evident in native community apprehension about the impact of resource exploration and development activities on the wildlife needed to sustain a traditional lifestyle.
  - d) The industry perspective is clearly one of desiring continued access to northern lands for purposes of exploration and development.

NORTHERN MINERAL ADVISORY COMMITTEE

STATEMENT ON POLICY FROM MINUTES OF DECEMBER 15, 1978, VANCOUVER.

1. The Government of Canada will foster, promote and encourage prospecting, exploration and mining in Yukon Territory and the Northwest Territories.
2. To protect the legitimate interests of Northerners and in order to protect the environment, the Government of Canada will, after thorough consultation with all affected parties, redefine policies, legislation and regulations which will be administered in an equitable manner consistent with the stated objectives.
3. The Committee recognises that some mineral alienation has occurred in the COPE settlement, but does not regard this part of the agreement as a binding element in future settlements. This is not inconsistent with achieving a broad equity between settlements, but this equity does not mean that any settlement be considered a precedent, due to the variability of conditions in various parts of the North. In general, the Committee believes that a preferred option is that all mineral rights remain vested in the Crown.
4. In general, access to the surface should be assured for exploration and development of mineral resources, having regard for these areas for which multiple and exclusive use has been designated. In particular, access to mineral property already in place, although this might be within areas where the surface rights have been alienated, should be assured for exploration and mining. In all cases steps will be taken to ensure a minimum disturbance of the natural environment.
5. The formulation of land use policies will have due regard for their impact on mining.
6. Administrative and fiscal terms and conditions established by owners of the mineral resources and governing the disposal of mineral rights to the private sector should provide incentives commensurate with the difficulties and risks of mineral exploration and mine development in Canada's North.
7. Employment of Northern people in the Mining Industry will be encouraged.
8. The Mining Industry will be assisted in the development of efficient and economical modes of transport and other forms of infrastructure.

W.T. Irvine  
Dec. 27, 1978

4. Analysis of land areas in terms of current limitations on access for mineral exploration for reasons of conservation, provides the following information:

<u>Land Category</u>	<u>Approx. Area (square miles)</u>	<u>% of North (5)</u>
Dedicated to Conservation (no access)	52,000 (1)	3.4
Priority to Conservation (special restrictions, Land Use Regulations)	243,000 (2)	14.2
Multiple Land Use (standard conditions Land Use Permits)	1,242,000 (3)	82.3
Dedicated to development	est. 5,000 (4)	.1

- (1) Existing Parks & withdrawn areas
  - (2) Park proposal areas, Bird Sanctuaries, IBP sites, critical habitat of Beverly & Kaminuriak Herds
  - (3) Remaining land area North of 60°
  - (4) Commissioners lands, highway, mines
  - (5) Total land area North of 60° - 1,512,000 square miles
5. Under the Inuvait/Government of Canada Agreement-in-Principle, which covers 115,000 square miles of land in the Western Arctic Region mineral rights will be transferred to Inuvait ownership over 5,000 square miles (4%).

EDITED MINUTES OF NORTHERN MINERAL ADVISORY COMMITTEE

DECEMBER 15, VANCOUVER

MEETING HELD IN THE CYPRUS ANVIL BOARDROOM, MARINE BLDG.,  
VANCOUVER, B.C., 9 A.M.

1978.

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Mr. Cathro chaired the meeting in the absence of Mr. Bruk who was ill.

Minutes of the Nov. 23, 1978 meeting

These were corrected as follows:

- (1) On page 3 the date, Dec. 15, of this meeting was omitted.
- (2) On the list of Committee members, Mr. John Bonus should be an alternate for Mr. Bruk. For R.J. Sherill read R.J. Shank, alternate for Dr. Jeffery.

The adoption of the minutes was moved by Mr. MacKinnon and seconded by Mr. Hornal. Carried.

Proposed Enlarging of the Committee

After discussion it was agreed that the Deputy Commissioner Yukon, Doug Bell and the Deputy Commissioner N.W.T., John Parker, should be invited to join this Committee. Mr. Bruk will write them extending the invitation.

Mr. Trigg named Ben Baldwin as his alternate.

Discussion of Policies Toward a Mineral Strategy

Discussion centred on the "Steps to a Northern Mineral Policy" that had been presented to the Minister on October 13, 1978.

Ownership of Mineral Rights

Mr. Ogilvy argued that mineral rights should be vested in the Crown and presented maps that showed areas of claim staking in the Yukon with reference to Indian communities. From this it could be seen that COPE type agreements, alienating mineral rights in the Yukon, could seriously affect known mineral areas. Mr. Ogilvy also said that

.../2

Government planning and development of infrastructure in the Territories should be timely and prioritized in significant measure to the short and medium-term requirements of mining exploration and mining development.

#### Land Withdrawals

The Minister's statement in Parliament that he would not hold up development while waiting for land claim settlements was taken as a guideline.

#### Department Restructuring

The Minister has taken the position that he was not prepared to restructure the Department at this time, but this may change in time.

#### Queen's Report

This will be discussed at the Ottawa meetings, January 11th and 12th.

#### Sub-Committies

Discussion deferred.

#### Minutes and Agenda

A draft of the minutes should be sent to each Committee member as soon as they are ready.

The agenda for the January 11th meeting in Ottawa will include talks by Department people regarding Parks, Native Claims, Land Use Policy and Regulations, the Queen's Report, Fiscal Policies and the Whitepass and Yukon Railway.

#### Further Discussion on Land Use Policies

A suggestion to improve ways of disposing land was to have a public land use committee similar to the Water Board in the Yukon. A majority of the members of this board (six out of nine) are private citizens, and it was felt that people are better protected from bureaucracy when they have their own people on the committees. This would give a system for dealing with applications for land use that could come either from private individuals, companies, or from Government organizations such as the Parks Branch.

Indians in the Yukon had been quite migratory, and there was possibly only one "historic" Indian community, at Old Crow. Some of the others are seasonal communities, occupied for only a few months at a time. It was proposed that Neil Faulkner of Indian Claims could discuss with the Committee the philosophical differences between those in mining and himself.

In the discussion dealing with possible Native ownership of mineral rights it was pointed out that in the COPE agreement land was alienated to give the Natives protection for the lands they used most often. However the Committee in general was against making the COPE agreement a precedent, and felt that alienation of Crown lands should be kept to a bare minimum, zero if possible.

The matter of royalties to the Natives in lieu of ownership of mineral rights was discussed and it was suggested that in certain areas the Government might turn over some or all of the royalty on mineral production to the Natives.

Mr. Ogilvy and Dr. Jeffery then withdrew to produce a policy statement.

Later Mr. Irvine was asked to synthesize this and other statements and ideas produced at the meeting, and the result is attached to these minutes.

Mr. Trigg also submitted a policy statement.

#### Access to the Surface for Mineral Exploration and Development

It was agreed that access is fundamental for mineral exploration and development. However there have been problems such as at Baker Lake, and there is a challenge to the people in the Mining Industry to help the Government work out solutions to define, in practical terms, a definition of a reasonable approach. Various wordings were suggested both for access to mineral properties already in place and access for prospecting new ground. These are synthesized in the attached appendix.

#### Land Use Policy

It was agreed that land use policy should not be formulated without considering the impact on mining. However there must be reasonable concern for the possibility of disturbance



of the natural environment. There has to be a definition of what is meant by "reasonable". Multiple land use must also come into the picture.

A perceived problem is the ability of the Government to withdraw land without consultation with concerned parties. A tentative statement of policy was, "Land should not be alienated for any purpose until its optimum value has been evaluated". However there could be arguments as to the optimum use, for example caribou protection or mining. In these cases there should always be consultation with the Mining Industry before decisions are finalized.

### Fiscal Policy

It must be recognized that exploration is vital to Canada and Government should provide incentives that are in keeping with the risks. The Committee should address itself to a total fiscal package, not just taxation. Taxation in the Territories is not a problem, but there might be other financial areas where the fostering of the Mining Industry could be encouraged other than by straight taxation of producing operations.

There was interest in the Federal-Provincial Resource Tax Review and efforts will be made to procure copies for Committee members.

### Employment of Northern People

The preferred statement was "Employment of Northern people in the Mineral Industry would be encouraged". There may be difficulty in defining "Northern people". It was pointed out that employment should be encouraged, but setting quotas was not practical, since there were often not enough Northern people to fill the quotas. How is the encouragement to be done? Mining schools may not be the answer since this was an idealistic dream in the Yukon and the school closed. However the Inuit may be more suited for this sort of program.

### Infrastructure

A certain responsibility of Government for transportation and other infrastructure is required but not for a single company's operation. These should serve districts or groups of mines. A mining road can help exploration, this leads to the discovery of more deposits as was shown in uranium exploration in Saskatchewan, and a similar road could help exploration northeast of Yellowknife.

Concern was expressed over the National Parks Policy. For example, what is the status of the new Arctic Wilderness Areas and the East Arm Reserve? These questions can be asked of the Parks people when the Committee meets in Ottawa on January 11th and January 12th. The Committee can talk about implementation, after reviewing the problem areas talked about the day before. There should also be a review of the synthesis of the policies so that the Committee can come to a consensus as to whether the principles are well articulated.

#### Discussion of Future Meetings

The next meeting will be in Ottawa, January 11 and 12, 1979. On the 11th there will be a breakfast of the Industry people at 8 A.M., and the main meeting will start at 10 A.M. On the 12th the meeting will start at 9 A.M. The Committee will meet with the Minister in Vancouver on the morning of January 19, 1979, prior to his speech to the B.C. and Yukon Chamber of Mines.

Background material relating to the talks on January 11th will be sent to the Committee members where available.

A meeting is planned in Whitehorse for February 7 and 8, 1979. Mr. Ogilvy will arrange for a meeting place and secretarial help.

The meeting expressed sympathy to Mr. Bruk in his illness.

The meeting then adjourned.



W.T. Irvine,  
Executive Secretary.

NORTHERN MINERAL ADVISORY COMMITTEE  
ATTACHED IS A COPY OF THE AGENDA FOR THE COMMITTEE MEETING TO BE  
HELD IN OTTAWA JANUARY 11 AND 12, 1979.  
BACKGROUND MATERIAL AND EDITED MINUTES ARE BEING SENT UNDER  
SEPARATE COVER.

AGENDA

NORTHERN MINERAL ADVISORY COMMITTEE

NORTH TOWER

LES TERRASSES DE LE CHAUDIERE HULL

JAN 11, 1979 ROOM 1904

ON JAN 11/79 THERE WILL BE A SERIES OF TALKS BY REPRESENTATIVES  
OF DIAND PROGRAMS OF CONCERN TO THE COMMITTEE PLUS ONE PRESENTATION  
BY A REPRESENTATIVE OF M A C. ABOUT TWO THIRDS OF EACH ALLOTTED  
PERIOD WILL BE DEVOTED TO THE TALKS, THE REMAINDER OF THE  
TIME BEING GIVEN UP TO QUESTIONS.

10 A M SESSION

10:00-11:30 AM LAND USE POLICY DIRECTOR GENERAL NORTHERN ENVIR  
DR M J RUEL AND CHIEF, LAND  
MANAGEMENT DIVISION, D J GEE  
11:30 -12:30 PM PARKS DIRECTOR NATIONAL PARKS BRANCH,  
S F KUN AND CHIEF, NATIONAL  
PARKS - PARKS AND SYSTEM PLANNING,  
J A CARRUTHERS  
12:30-2:00 PM LUNCH BREAK

ALL PARTICIPANTS ARE INVITED TO LUNCH AT LE RUISSEAU, NORTH EAST  
TOWER, LES TERRASSES DE LA CHAUDIERE.

2 PM SESSION

2:00-3:00 PM NATIVE CLAIMS EXECUTIVE DIRECTOR NATIVE CLAIMS,  
G N FAULKNER  
3:00-4:00 PM LAND USE REGULATIONS  
QUEEN'S REPORT CHIEF, LAND MANAGEMENT DIVISION,  
D J GEE  
4:00-4:30 PM LEGISLATIVE  
OVERVIEW DIRECTOR NON-RENEWABLE RESOURCES,  
DR H W WOODWARD  
4:30-5:00 PM FISCAL POLICIES MINERAL ECONOMIC RESEARCH COORD  
THE MINING ASSOC OF CDA, U RATH  
5:00 - WHITEPASS AND CHIEF, NORTHERN ECONOMIC ANALYSIS  
YUKON

JANUARY 12, 1979

9 AM SESSION

- (1) DISCUSSION OF PAPERS PRESENTED ON JANUARY 11
- (2) POSSIBLE FORMATION OF SUB-COMMITTEES FOR FURTHER STUDY.
- (3) DISCUSSION OF POLICY STATEMENT.
- (4) DATE AND LOCATION OF FUTURE MEETINGS.

W T IRVINE SPECIAL ADVISOR MINING  
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INDIAN AFFAIRS AND NORTHERN DEVELOPMENT  
TLX HULL 0533711

*DJS. Phoned by Bill Irvine  
Jan 10/79 for 3/79  
to say passed a rough draft  
rough minutes. Also that  
Tony Ballcourt of DIAND will  
have another package on file when he gets it.*