

Promoter's Guide for Authorization of Impact- Causing Exploration Work

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MINISTÈRE DES RESSOURCES NATURELLES ET DES FORÊTS



Production

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Foreword

This Promoter’s Guide for Authorization of Impact-Causing Exploration Work (hereinafter the “Guide”) is a working tool available to claim holders to assist them with the process of preparing an application for authorization of impact-causing exploration work (hereinafter an “ATI authorization”) within the meaning of section 69 of the *Mining Act* (hereinafter the “Act”). It sets out the requirements prescribed by the Act and by the *Mining Regulation* (CQLR, chapter M-13.1, r. 2) (hereinafter the “Regulation”).

Introduction

The Québec government encourages harmonious development of mining activity and coexistence of use within its territory. To do this, factors must be established that will foster social acceptability of mining projects and predictability for both the mining industry and the host communities.

The Ministère des Ressources naturelles et des Forêts (hereinafter the “Ministère”) has introduced a new authorization that must be obtained before carrying out impact-causing exploration work. The new authorization was added to the Act on April 12, 2022,¹ and will come into force on May 6, 2024, after adoption of regulatory measures establishing a list of exploration activities based on their impacts for the host community and specifying the criteria that subjects these activities to the authorization requirement.

The purpose of the new authorization, known as the ATI authorization, is to ensure that the concerns of local municipalities and Indigenous communities are taken into consideration while fostering a predictable framework conducive to mine development investments and providing for better control over impact-causing exploration work in the field.

As a process based on transparency, the new ATI authorization helps to reconcile different uses of the territory. It also allows the Ministère to impose conditions and obligations for work to be done on land covered by claims, so that the concerns about proposed mining exploration activities expressed local municipalities and Indigenous communications are taken into consideration.

¹ Via the omnibus Draft Bill, “An Act mainly to reinforce the enforcement of environmental and dam safety legislation, to ensure the responsible management of pesticides and to implement certain measures of the 2030 Plan for a Green Economy concerning zero emission vehicles”, adopted on April 5, 2022 and assented to on April 12, 2022.

Section 1 Legal and regulatory framework

1.1 OBTAINING AN ATI AUTHORIZATION

A claim gives its holder the exclusive right to search for mineral substances on the land it covers. However, to carry out impact-causing exploration work, claim holders must first obtain an ATI authorization. This authorization is regulated by the provisions of sections 69, 69.1 and 69.2 of the Act and by sections 11, 12 and 13 of the Regulation (Appendix 1). To be valid, an application for ATI authorization must meet the conditions established by the Regulation and must contain:

- the questions, demands and comments received from local municipalities and Indigenous communities, and the answers to the questions raised during the exchanges;
- information on the geometrical location and attributes of the geographical entities making it possible to delimit the zone of interest in which the work will be carried out;
- the form (see Appendix 5) provided by the Ministère for this purposes, duly completed and with all the required documents and information.

To ensure that the host community's concerns about the exploration project are taken into account, the Ministère may require an ATI authorization holder to comply with certain conditions concerning the work to be done on the land covered by the claim.

An ATI authorization is valid for a period of two years from the date on which it is issued, provided the claims to which the authorization applies remain active during that period.

1.2 RENEWING AN ATI AUTHORIZATION

In compliance with section 69.2 of the Act, an ATI authorization may be renewed for a 12-month period provided the following conditions have been met:

- The impact-causing exploration work authorized by the Minister within the meaning of section 69 of the Act has not been completed or has not been carried out.
- The holder has complied with all the conditions imposed by the Minister pursuant to section 69.1 of the Act.
- The holder has filed a report on exchanges with the local municipalities and Indigenous communities concerned regarding the renewal of the authorization, where applicable, that indicates in particular the questions, requests and comments received and the answers of the claim holder. The promoter cannot reuse the report of exchanges filed with the initial application for authorization; it must produce a new one for the application for renewal.
- The application for renewal was presented before the ATI authorization expired, and is made using the form provided for that purpose by the Ministère.
- The impact-causing exploration work has not ceased permanently.²

² Permanent cessation is limited to some very specific cases. For example, if a company has gone bankrupt or is insolvent, if it is under the protection of the *Companies Creditors Arrangement Act* or if the area to which the application for renewal of an ATI authorization is covered by section 82 of the *Mining Act* ordering the cessation of the work. In these cases the ATI will not be renewed.

Section 2 Legal and regulatory framework

The exploration work for which authorization within the meaning of section 69 of the *Mining Act* is required is established on the basis of the work method and the type of work.

So-called impact-causing exploration work is work carried out using one or more of the following methods:

For exploration activities:

- Hydraulic machinery (e.g. bulldozer, scraper, dragline excavator, power shovel, excavator, backhoe loader, tractor, skidder, hydraulic drill)
- Explosives

For gold mining:

- A hydraulic pump for gold mining purposes

The Regulation contains a list of exploration activities for which an ATI is needed. The following activities constitute impact-causing exploration work:

- excavating in overburden;
- rock stripping;
- bulk sampling;
- drill-holes in overburden or in rock;
- seismic refraction geophysical surveys;
- work carried out using a hydraulic pump for gold mining purposes

Section 3 Exploration work for which an ATI authorization is not required

An ATI is not required for certain types of work (Appendix 2) including:

- all low-impact on-site exploration work;
- exploration work on land covered by a mining concession or a mining lease (BM, BEX, BNE, CM);
- all exploration work located in an accumulation area (see Appendix 2);
- all underground exploration work (see Appendix 2);
- any other work that is not exploration work within the meaning of section 69 of the *Mining Regulation*.

Section 4 Prerequisites for an ATI application

To be valid, an application for an ATI authorization must comply with section 12 of the Regulation (Appendix 1), and must include the zone of interest, exchanges with local municipalities and Indigenous communities and the report of the exchanges.

4.1 ZONE OF INTEREST

When applying for an ATI authorization, the applicant must identify the land on which impact-causing exploration work will be carried out. There must be at least one zone of interest in which exploration work is planned. The zones of interest must be delimited by polygons in a shapefile submitted with the application for authorization.

The zones of interest may include principal and secondary targets so that the exploration campaign can be adapted according to the results obtained, without the need to submit a new application for authorization.

However, these zones must not be too big, since that would hinder the project's social acceptability among local municipalities and Indigenous communities due to the scope of the work involved. For example, a zone of interest cannot cover the entire area of an exploration project.

Zones of interest must be delimited accurately enough to facilitate exchanges between the local municipalities and Indigenous communities and the promoter. The information will also be used by the Ministère when fulfilling its constitutional duty to hold consultations with the Indigenous communities concerned. In addition, the Ministère will also consult the local municipality in which the project is located.

It is important to note that it will not be possible to amend the zones of interest after the authorization is granted. When preparing the application, it is therefore essential to make sure it covers all the work that is planned or is likely to take place. If any change is made to a zone of interest (e.g., a change to its size or to the types of work that will be done in it), a new application must be filed for authorization of impact-causing exploration work.

Several zones of interest involving the same type of work, or several different types of impact-causing exploration work, can be included in a single application for authorization if necessary, provided that all the work is connected to the same exploration project. In these cases, one authorization will be granted for each type of work. However, an authorization will be granted depending on the nature of the work. For drill-holes in overburden or in rock, one authorization will be issued per type of borehole. (e.g., diamond drilling, reverse circulation drilling, etc.)

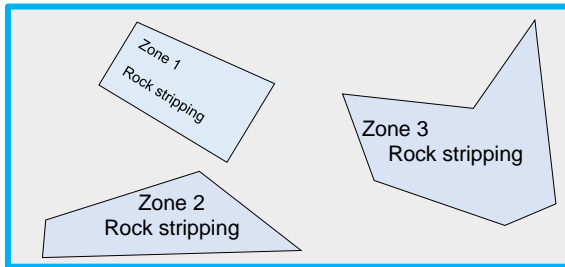
Different types of exploration work can be included in the same application for authorization and can be placed in a single SHP shapefile in accordance with the rules set out in Appendix 3. To be valid, all the polygons used in the shapefile for a zone of interest must be closed and free of circular arcs.

In cases where several geographically separate sets of work of the same kind will be carried out during the same period, two closed, merged polygons will be needed to represent the zone of interest. Below are some examples of zones of interest.

Example 1

A single type of work in different zones for the same exploration project.

A single exploration project:



Number of applications

Only one application for authorization is filed, because the impact-causing exploration work (rock stripping) is for the same exploration project. Three zones of interest, characterized by three closed, merged polygons.

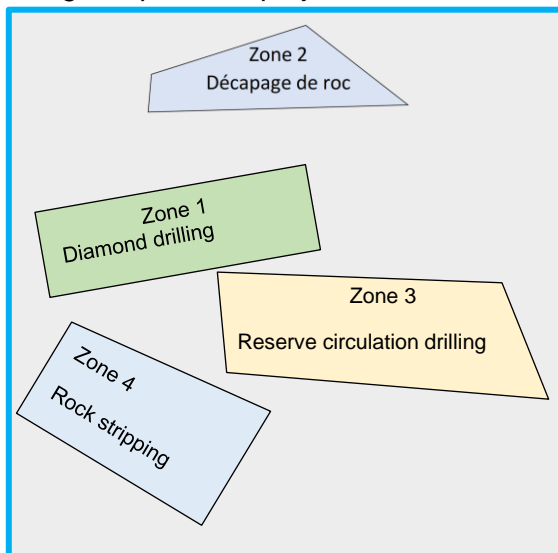
Number of authorizations issued

A single authorization (ATI) issued for the three zones of interest.

Example 2

Three types of work in different zones for the same exploration project.

A single exploration project :



Number of applications

Only one application for authorization is filed, because the impact-causing exploration work is for the same exploration project.

Number of authorizations issued

Three authorizations (ATIs) issued, one for each type of work:

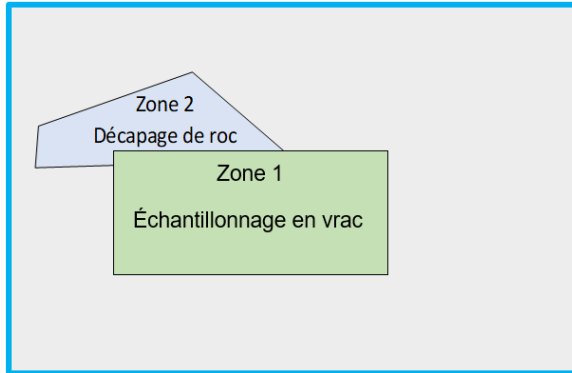
- One authorization for diamond drilling (zone 1). One closed polygon.
- One authorization for rock stripping (zone 2 and zone 4). Two closed, merged polygons³.
- One authorization for reverse circulation drilling (zone 3). One closed polygon.

³ See Appendix 3.

Example 3

Two types of work in overlapping zones (zone 1 and zone 2) for the same exploration project.

A single exploration project:



Number of applications

Only one application for authorization is filed, because the impact-causing exploration work is for the same exploration project.

Number of authorizations issued

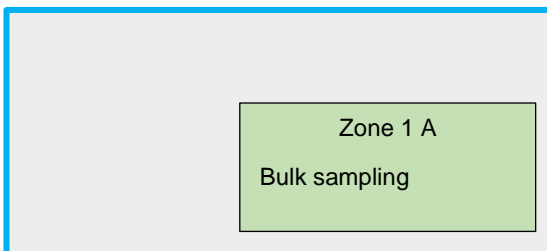
Two authorizations (ATIs) issued, one for each type of work:

- One authorization for bulk sampling (zone 1). One closed polygon.
- One authorization for bulk sampling (zone 2). One closed polygon.

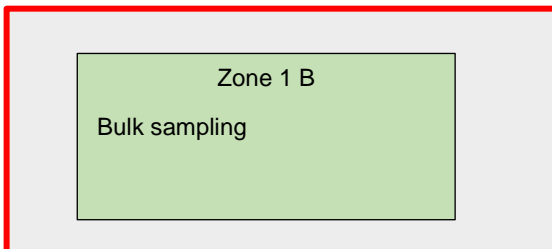
Example 4

A single type of work for two separate exploration projects.

Project 1:



Project 2:



Number of applications

Two applications for authorization are filed, because the impact-causing exploration work (bulk sampling) is for two different exploration projects.

Number of authorizations issued

Two authorizations (ATIs) issued, one for each exploration project

- One authorization for bulk sampling (zone 1 A). One closed polygon.
- One authorization for bulk sampling (zone 1 B). One closed polygon.

4.2 EXCHANGES WITH LOCAL MUNICIPALITIES AND INDIGENOUS COMMUNITIES

Although a public meeting is not required, it is recommended, where applicable, that an initial exchange of information should be held in person with interested parties (local municipalities and Indigenous communities) to ensure that the exploration work is presented properly.

This consultation process should be organized in a way that fosters exchanges between the parties. The promoter should demonstrate openness and the ability to listen to the various concerns, so that they can be taken into account when the exploration work is performed. The promoter must present the intended impact-causing exploration work in detail to both the local municipalities and the Indigenous communities concerned. The presentation should cover the type of impact-causing exploration work to be done, its location, the period during which it will take place, the type of machinery to be used and the mitigation measures the promoter intends to implement, if any.

When presenting the work to local municipalities and Indigenous communities, promoters should be transparent and use language that is simple enough to be understood. This will help in identifying any issues and concerns and, where applicable, in identifying mitigation measures to minimize the impacts of the exploration work.

The Ministère encourages promoters to keep the host community and Indigenous communities properly informed, as early as possible in the exploration work process. Several good practice guides have been prepared on this subject⁴ and the Ministère invites promoters to consult them.

The Ministère also recommends that the Indigenous communities should be consulted separately from local municipalities, because of their particular cultural, social, historical, legal and political features. The process should be initiated as early as possible during the project. Depending on each case, the consultation mechanisms established early in the process can be maintained to ensure longer-term monitoring of the mining project, and to foster the creation of a sustainable, constructive relationship with the community.

Mining promoters have a certain amount of latitude in deciding how to exchange information about their projects and how to gather questions and concerns from the host community. However, the report of exchanges with the community, which will be made public, must reflect a real desire to take the concerns and needs expressed into account. Promoters are encouraged to be as transparent as possible, not only in the report but also in their exchanges with the local community. This type of approach will help foster the project's social acceptability and ensure its sustainability.

Exchange with municipalities and regional county municipalities (RCMs)

It is the promoter's responsibility to contact the local municipality, the RCM and the Indigenous community or communities concerned by the project, in order to agree on the exchange methods.

Promoters may refer to the GESTIM interactive map to identify the municipalized territories in which their projects are located.

Identification of the municipality for the purpose of exchanging information

The municipality can be identified on the GESTIM interactive map by activating the *Administrative division* → *Municipality* layer.

⁴ [Aboriginal Consultation Policy Specific to the Mining Sector, Best Practices Guide for Monitoring Committees and Legal Obligations of Mining and Petroleum Project Promoters](#)

The query function ¹ of the interactive map is used to check whether or not the sector of interest is located in an unorganized territory. Click on the location of the work, then open the municipality WMS. If “Municipality” is displayed under “Description”, it means that information must be exchanged with the municipality. If “Unorganized Territory” is displayed, it means the exchange must take place with the RCM.

In Eeyou Istchee James Bay, promoters must contact the Eeyou Istchee James Bay Government (EIJBG) for projects located on Category III lands.

Identification of Indigenous communities for the purpose of exchanging information

For information on the Indigenous community or communities concerned by the authorization, write to: ati@mrfn.gouv.qc.ca and attach a shapefile showing the zones of interest.

Contact information for the Indigenous communities can be found at: <https://www.quebec.ca/gouvernement/portrait-quebec/premieres-nations-inuits/coordonnees>.

For information on the roles of the various parties in the consultation of Indigenous communities, and for advice on how to organize consultations, please see the [Aboriginal Consultation Policy Specific to the Mining Sector](#).⁵

4.3 THE REPORT OF EXCHANGES

The report of exchanges that must be submitted with the application for authorization consists in a summary of the questions, requests and comments expressed by the local municipality and Indigenous communities during the exchanges, along with the answers given by the promoter.

Promoters are encouraged to continue their exchanges with local municipalities and Indigenous communities and follow up on the progress of the exploration work performed for the project.

The report of exchanges must contain the following information:

- entities contacted (municipalities, RCMs, Indigenous communities and others);
- entities that took part in the exchanges (municipalities, RCMs, Indigenous communities and others);
- communication method;
- date and place of the exchange;
- nature of the exchange.

The report must include a summary table of the exchanges, as follows:

- questions, requests and comments raised by the local municipality and Indigenous communities;
- answers provided by the promoter to the elements raised by the host community or communities;
- mitigation measures where applicable.

The report of exchanges must be in French.

⁵ The Policy was adopted in 2019, before the authorization for impact-causing exploration work was created, and therefore does not take it into account.

Table 1 : Model summary table of exchanges to be included in the report of exchanges

| Organization / interlocutor | Questions asked or comments made | Promoter's answers | Mitigation measures |
|--------------------------------------|----------------------------------|--------------------|---------------------|
| Example: Citizen (without naming) | | | |
| Name of Native community | | | |
| Name of RCM | | | |
| Name of municipality | | | |

The summary table of exchanges must be detailed enough to reflect the community's concerns. The information it contains will subsequently be used to guide the consultations organized by the Ministère before the authorization is issued. The Minister may also make the authorization subject to certain conditions designed to reconcile different uses of the land and make the project more socially acceptable.

The report of exchanges should not contain any confidential information likely to violate a person's privacy. Information is deemed confidential if it can or could be used to identify someone – for example, the person's name, address, telephone number, e-mail address, etc.

Section 5 Submission of the application for ATI authorization

To obtain authorization to carry out impact-causing exploration work, the claim holder or delegate must complete the appropriate sections of the form provided for that purpose by the Ministère. The delegate must also provide a certified copy of the resolution of the board of directors or the internal by-law delegating the power to apply for authorization on behalf of the claim holder.

The application for ATI authorization must contain the following information:

- the alphanumeric code identifying the claim situated on the land on which the work will be carried out;
- the applicant's name, address and telephone number;
- a detailed description⁶ of each work operation concerned, including in particular :
 - the nature of the work and the method to be used to carry it out;
 - the area concerned and the volume of mineral substances to be extracted, where applicable;
 - the number of drill-holes planned,⁷ where applicable;
- the planned duration of the work and the time of year during which it will be carried out.

⁶ The description of the work must be detailed and simplified enough to ensure that the proposed work can be understood by the local municipality and Indigenous communities.

⁷ The number of drill-holes is for information only and may be higher in reality, under the same authorization, as long as they are all in the same zone of interest.

The application must also be accompanied by the following documents:

- A report of the exchanges with local municipalities and Indigenous communities, where applicable, that indicates in particular the concerns expressed, the questions, requests and comments received and the answers of the claim holder.
- Information on the geometrical location and attributes of the geographical entities (shapefile – see Appendix 3) making it possible to delimit the zone of interest in which the work will be carried out.
- All other authorizations required for the work from other government departments.

All these documents must be send electronically to: ati@mrf.gouv.qc.ca. It is recommended that a single compressed .zip file should be sent

Section 6 Other rights, permits and authorizations

Other rights, permits and authorizations may be needed for impact-causing exploration work in order to comply with various laws and regulations. With regard to the Mining Act, two authorizations may be required, namely the authorization for the site intended as a storage yard for tailings, and the authorization for temporary construction on the lands of the domain of the State.

With regard to the other legislation applicable to work of this type, three permits and authorizations in particular are often required, namely a lease for lands in the domain of the State pursuant to the *Act respecting the lands in the domain of the State*, an environmental authorization pursuant to the *Environment Quality Act*, and a forestry permit pursuant to the *Sustainable Forest Development Act*.

This Guide does not present all the additional permits and authorizations that may be required to carry out impact-causing exploration work, but mentions only those that are required most frequently. Another document, the [Cadre normatif s'appliquant au domaine minier](#)⁸, available in French only, covers the various Acts and regulations applicable to the mining sector and should be consulted as needed.

6.1 REHABILITATION AND RESTORATION PLAN AND FINANCIAL GUARANTEE

Under section 69 of the *Mining Act*, a rehabilitation and restoration plan must be submitted for approval by the Minister, along with a financial guarantee in an amount equal to the anticipated cost of carrying out the work described in the plan, before some types of impact-causing exploration work can be approved. This means that the promoter will be required to implement the rehabilitation and restoration plan once the impact-causing exploration work covered by the ATI authorization has been carried out, or when it expires.

Section 108 of the Regulation sets out the exploration work covered by the requirement set out in section 232.1 of the Act. This includes excavations for the purpose of mining exploration involving one of the following:

- a) the movement of 5,000 m³ or more of unconsolidated deposits;
- b) rock stripping or the movement of unconsolidated deposits covering an area of 10,000 m² or more;

⁸ [Cadre normatif s'appliquant au domaine minier \(gouv.qc.ca\) \(in French only\)](#)

- c) the extraction or movement of mineral substances for geological or geochemical sampling in amounts of 500 metric tons or more.

In addition, section 232.2 of the Act and section 112 of the Regulation provide that the rehabilitation and restoration plan must be approved before exploration work begins.

The financial guarantee ensures that money will be available to pay for the work set out in the rehabilitation and restoration plan if the claim holder fails to carry out that work itself. The guarantee covers the full cost of the rehabilitation and restoration work for the mining site as a whole, as provided for in the rehabilitation and restoration plan. It must be submitted in one of the forms provided for in section 115 of the Regulation. Section 112 of the Regulation states that a claim holder wishing to carry out or commission the exploration work mentioned in section 108 of the Regulation must submit a financial guarantee to the Ministère before beginning the work.

6.2 FORESTRY PERMIT

In most cases, impact-causing exploration work will involve forest management activities in forests in the domain of the State (e.g. logging, opening of access roads). A forestry permit is required for this type of work in forests in the domain of the State. It should be noted that section 213 of the Act governs logging in public forests carried out by the holders of mining rights on the land to which their rights apply. Holders of mining rights may, on the land to which their rights apply, cut wood in the domain of the State pursuant to the *Sustainable Forest Management Act* (chapter A-18.1) and its regulations, in order to erect buildings or for any other operations required for their mining activities. However, these rules do not apply to the cutting of lines less than one metre wide. Unless the line cut is a strip of woodland established by the government by regulation to protect lakes, watercourses, riparian environments and wetlands pursuant to section 38 of the *Sustainable Forest Management Act*, these rules also do not apply to the digging of trenches or other excavations, or to drilling work, provided it has been authorized by the Minister responsible for applying the Act, and that it meets the following conditions:

- 1- The total area of the trenches or other excavations, plus, where applicable, the total area of excavations already carried out by another holder, must not exceed 2% of the wooded area covered by the mining right.
- 2- The area logged for drilling work, plus, where applicable, the area already logged by another holder under the same conditions, must not exceed 2% of the wooded area covered by the mining work.

A claim holder wishing to build an access road or to cut wood forming part of the domain of the State for its impact-causing exploration activities must, in most cases, have the work authorized by obtaining a forestry permit. For additional information on this permit, please refer to the [Ministère's website](#).

Caution

It is up to claim holders to comply with the legislation and regulations applicable to their specific situation when carrying out mining activities, including impact-causing exploration activities.

Appendix 1 – Sections of the Mining Act (MA) and the Mining Regulation (MR)

Sections 69, 69.1 and 69.2 of the *Mining Act* present the general framework of the authorization for impact-causing exploration work (ATI). Sections 232.1 and 232.2 of the *Mining Act* present the general framework for the rehabilitation and restoration plan.

Article 69 MA

The claim holder must obtain the authorization of the Minister before performing any impact-causing exploration work determined by regulation. The Minister issues the authorization provided the claim holder

- (1) has paid the fees prescribed by regulation;*
- (2) has furnished the guarantee referred to in section 232.4 of this Act, where applicable; and*
- (3) has met the other conditions prescribed by regulation.*

The claim holder provides to the Minister, at the Minister's request, any document or information relating to impact-causing exploration work covered by the application for authorization.

Article 69.1 MA

The Minister may, where considered necessary by the Minister, impose conditions and requirements on the holder of the authorization mentioned in the first paragraph of section 69 that may, in particular and despite the provisions of this Act, concern work to be performed on the parcel of land subject to the claim.

Article 69.2 MA

The authorization provided for in the first paragraph of section 69 is valid for a term of two years.

The Minister shall renew the authorization for a term of 12 months on the conditions and on payment of the fees prescribed by regulation. However, if mining activities are permanently discontinued, the authorization cannot be renewed.

Article 232.1 MA

The following persons must submit a rehabilitation and restoration plan to the Minister for approval and carry out the work provided for in the plan:

- (1) every holder of mining rights who engages in exploration work determined by regulation or agrees that such work be carried out on the land subject to his mining rights;*
- (2) every operator who engages in mining operations determined by regulation in respect of mineral substances listed in the regulations;*
- (3) every person who operates a concentration plant in respect of such substances;*
- (4) every person who engages in mining operations determined by regulation in respect of tailings.*

The obligation shall subsist until the work is completed or until a certificate is issued by the Minister under section 232.10.

Article 232.2 MA

The rehabilitation and restoration plan submitted by a person identified in section 232.1, other than an applicant for a mining lease, must be approved by the Minister before mining activities begin.

Sections 11, 12 and 13 of the *Mining Regulation* clarify the authorization for exploration work by presenting a list of impact-causing work and setting out the conditions for the application for authorization and the application for renewal of an authorization. Section 108 of the *Mining Regulation* describes the work covered by the rehabilitation and restoration plan and the financial guarantee.

Article 11 MR

For the purposes of section 69 of the Act, as replaced by section 44 of the Act mainly to reinforce the enforcement of environmental and dam safety legislation, to ensure the responsible management of pesticides and to implement certain measures of the 2030 Plan for a Green Economy concerning zero emission vehicles (2022, chapter 8), impact-causing exploration work consists in

(1) work carried out using hydraulic machinery or explosives, in particular

- (a) excavating in overburden;*
- (b) rock stripping; (c) bulk sampling;*
- (d) drill-holes in overburden or in rock;*
- (e) seismic refraction geophysical surveys;*

(2) work carried out using a hydraulic pump for gold mining purposes.

Article 12 MR

The Minister issues an authorization for impact-causing exploration work where, in addition to the conditions provided for in the first paragraph of section 69 of the Act, as replaced by section 44 of the Act mainly to reinforce the enforcement of environmental and dam safety legislation, to ensure the responsible management of pesticides and to implement certain measures of the 2030 Plan for a Green Economy concerning zero emission vehicles (2022, chapter 8), a claim holder meets the following conditions:

(1) has gathered the questions, requests and comments of the local municipalities and the Native communities concerned, where applicable, and has provided answers; and

(2) files an application on the form supplied by the Minister for that purpose and includes the following information:

- (a) the alphanumeric code identifying the claim situated on the land on which the work is to be carried out;*
- (b) the applicant's name, address and telephone number;*
- (c) a detailed description of each work operation concerned, including in particular
 - i. the nature of the work and the method of carrying it out;*
 - ii. the area concerned and the volume of mineral substances to be extracted, where applicable;*
 - iii. the number of drill-holes planned, where applicable;**
- (d) the planned duration of the work and the time of year during which the work will be carried out;*
- (e) information on the geometrical location and attributes of the geographical entities making it possible to delimit the zone of interest where the work will be carried out;*
- (f) a report on the exchanges with the local municipalities and the Native communities, where applicable, that indicates in particular the questions, requests and comments received and the answers of the claim holder;*
- (g) where an authorization is required for the carrying out of bulk sampling, the application must include, in addition to what is provided for in the first paragraph,
 - i. a description of the preparatory work that has been carried out;*
 - ii. the objective of the bulk sampling;*
 - iii. an estimate of the resources and mineral substance reserves situated on the land that is subject to the claim covered;*
 - iv. a summary description of the proposed restoration measures.**

Article 13 MR

The Minister renews an authorization for impact causing exploration work where

- (1) the work covered by the authorization has not been carried out;*
- (2) no failure to comply with the conditions imposed in accordance with section 69.1 of the Act, as made by section 44 of the Act mainly to reinforce the enforcement of environmental and dam safety legislation, to ensure the responsible management of pesticides and to implement certain measures of the 2030 Plan for a Green Economy concerning zero emission vehicles (2022, chapter 8), has been noted by the Minister;*
- (3) the claim holder has gathered the questions, requests and comments of the local municipalities and the Native communities concerned, where applicable, and has provided answers; and*
- (4) the application for renewal was filed by the claim holder before the expiry date of the authorization on the form supplied by the Minister for that purpose and includes the following information:*
 - (a) the alphanumeric code identifying the claim covered by the authorization;*
 - (b) the applicant's name, address and telephone number;*
 - (c) a description of the work progress;*
 - (d) the planned duration of the remaining work and the time of year during which it will be carried out;*
 - (e) a report on the exchanges with the local municipalities and the Native communities with regard to the renewal of the authorization, where applicable, that indicates in particular the questions, requests and comments received and the answers of the claim holder.*

Article 108 MR

The following constitute the exploration work referred to in subparagraph 1 of the first paragraph of section 232.1 of the Act:

- (1) excavations for the purpose of mining exploration, involving one of the following:*
 - (a) the movement of 5,000 m³ or more of unconsolidated deposits;*
 - (b) rock stripping or the movement of unconsolidated deposits covering an area of 10,000 m² or more;*
 - (c) the extraction or movement of mineral substances for geological or geochemical sampling in amounts of 500 metric tons or more;*
- (2) work carried out in respect of material deposited in accumulation areas, in particular*
 - (a) drill-holes;*
 - (b) the excavation, movement or sampling of accumulated material or cover material;*
- (3) underground work related to mining exploration, in particular*
 - (a) the sinking of access ramps and shafts, and any other excavation;*
 - (b) the dewatering of mine shafts and keeping of excavations dry;*
 - (c) the restoration of worksites or other underground works;*
 - (d) the hoisting of mineral substances to the surface;*
- (4) the preparation of accumulation areas for the work referred to in subparagraph 1, 2 or 3. For the purposes of subparagraph 1, "unconsolidated deposits" means any mineral substance covering the bedrock, except those deposited in accumulation areas.*

Appendix 2 – Work for which an ATI authorization is not required

1. All low-impact on-site exploration work

Claim holders may carry out mining exploration activities on the land covered by their claims without requesting an ATI authorization within the meaning of section 69 of the Act. An ATI authorization is not required for exploration activities carried out without the use of hydraulic machinery or explosives and, in the case of gold mining, without the use of a hydraulic pump. Exploration work such as line cutting, manual rock stripping using a shovel or water pump, geological, geochemical, stream, lake or soil surveys, surface and drilled geophysical surveys, manual sampling of rock and soil and drill holes in overburden using a manual auger and a non-hydraulic portable drill do not require an ATI. Claim holders may also carry out all their indirect exploration work without first obtaining an ATI. Indirect exploration work is work carried out without direct access to the site (e.g. geophysical surveys carried out from an aircraft or helicopter or using a drone, remote sensing surveys and satellite surveys).

2. Exploration work on land subject to a mining lease or mining concession

The holder of a mining lease (BM), a mining concession (CM), an exclusive lease to mine surface mineral substances (BEX) or a non-exclusive lease to mine surface mineral substances (BNE) is not required to obtain an ATI in order to carry out exploration work on the land subject to those rights.

3. Some exploration work defined in section 108 of the Regulation requiring a rehabilitation and restoration plan and financial guarantee covered by sections 232.1 and 232.4 of the *Mining Act*

The work for which an ATI is not required is as follows:

- (1) any work carried out in respect of materials placed in mine tailing accumulation areas, including any of the following activities:
 - a) bore holes in accumulation areas
 - b) excavation, movement or sampling of materials accumulated in or covering accumulation areas
- (2) any sustained work connected with mining exploration, including any of the following activities:
 - c) sinking of access ramps, shafts or any other excavations
 - d) dewatering of mine shafts and maintenance of dry conditions in excavations
 - e) restoration of work sites or other underground works
 - f) transportation of mineral substances to the surface
 - g) underground exploration surveys
- (3) development of mine tailing accumulation areas

4. All other work that is not exploration work within the meaning of section 69 of the *Mining Regulation*

An ATI authorization is not required for activities incidental to exploration work even if they require the use of hydraulic machinery. This applies in particular to the building or maintenance of temporary or permanent exploration camps, which are covered by other provisions of the *Mining Act* or the *Act respecting the lands in the domain of the State*, and the development of roads, access lanes or trails, which is covered by the *Sustainable Forest Development Act*.

Similarly, an ATI authorization is not required for technical activities and hydraulic surveys carried out during civil engineering, geotechnical or hydrogeological work.

It should be noted that backfilling, rehabilitation and securing work are not subject to an ATI. However, this work could be subject to conditions of exercise in the context of an ATI.

Appendix 3 – Shapefiles

Promoters must delimit their zones of interest in shapefiles. A shapefile is a file format commonly used by geomatics software. The file extension is normally SHP, and the file is always accompanied by at least three other files bearing the same name with the following extensions:

DBF : containing the attribute information of the features in the shapefile
 SHX : storing the index of feature geometry
 PRJ : specifying the data map reference system

When sending geometric data files, all the files with the shp, dbf, shx and prj must be included. It is recommended that they be placed in a compressed .zip file.

If a job type has more than one zone of interest, the polygons for each of the zones of interest must be merged into a single layer in the shapefile.

Nomenclature

Shapefiles must be named as follows: ATI_XXXX_YYYY

- Where XXXX is the claim holder's GESTIM intervenor number
- Where YYYY is the exploration project name

Structure

The shapefile structure should contain the metadata described below, so that the exploration zones are clearly defined and the predetermined exchange format is respected (length, type and order of the fields and the mandatory presence of certain data as defined in the table below). ATI applicants must follow the model attribute table below when sending geometric data files.

| Field name | Description | Field type | Possible value domain |
|------------|---------------------------------------------|-----------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| ID | Single identifier | Long integer | |
| CODE_ATI | To be completed with the ATI code | Character (4) | EXCA : Excavating in overburden DECA : Rock stripping FODI : Drill holes in overburden or rock, Diamond drilling type FORC : Drill holes in overburden or rock, Reverse circulation drilling type FOPE : Drill holes in overburden or rock, Percussion drilling type FOSO : Drill holes in overburden or rock, Sonic drilling type GEOP : Seismic refraction geophysical surveys ORPA : Work carried out using a hydraulic pump for gold mining purposes VRAC : Bulk sampling work |
| DETAIL | To be completed with additional information | Character (254) | Additional information connecting the type of ATI to the zones of interest. E.g. FODI #1 and FODI #2, 2 separate zones of interest in the same project with a different set of completion dates; two unmerged polygons. |

Coordinate system

The following geographical coordinate systems are valid:

-NAD83 ESPG: 4269
 -NAD83 (CSRS) ESPG: 4617

| Accepted coordinate projection systems | | |
|--------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------|
| Lambert conic conformal projection for Québec with two standard parallels (46th and 60th), central meridian -68.5° | NAD83 NAD83 (CSRS) | ESPG: 32198 ESPG: 6622 |
| Modified Transverse Mercator (MTM) | NAD83 zone 2 NAD83 zone 3 NAD83 zone 4 NAD83 zone 5 NAD83 zone 6 NAD83 zone 7 NAD83 zone 8 NAD83 zone 9 NAD83 zone 10 | ESPG: 32182 ESPG: 32183 ESPG: 32184 ESPG: 32185 ESPG: 32186 ESPG: 32187 ESPG: 32188 ESPG: 32189 ESPG : 32190 |
| | NAD83 (CSRS) zone 2 NAD83 (CSRS) zone 3 NAD83 (CSRS) zone 4 NAD83 (CSRS) zone 5 NAD83 (CSRS) zone 6 NAD83 (CSRS) zone 7 NAD83 (CSRS) zone 8 NAD83 (CSRS) zone 9 NAD83 (CSRS) zone 10 | ESPG : 26899 ESPG : 2945 ESPG : 2946 ESPG : 2947 ESPG : 2948 ESPG : 2949 ESPG : 2950 ESPG : 2951 ESPG : 2952 |
| Universal Transverse Mercator (UTM) | NAD83 zone 17 NAD83 zone 18 NAD83 zone 19 NAD83 zone 20 NAD83 zone 21 | ESPG : 26917 ESPG : 26918 ESPG : 26919 ESPG : 26920 ESPG : 26921 |
| | NAD83 (CSRS) zone 17 NAD83 (CSRS) zone 18 NAD83 (CSRS) zone 19 NAD83 (CSRS) zone 20 NAD83 (CSRS) zone 21 (CGVD28) | ESPG : 2958 ESPG : 2959 ESPG : 2960 ESPG : 2961 ESPG : 2962 |
| Spherical Mercator (Google Mercator, Web Mercator and Pseudo-Mercator) | WGS84 | ESPG : 3857 |
| Albers Conical Equal Area | NAD83 NAD83 (CSRS) | ESPG : 6623 ESPG : 6624 |

CSRS: Canadian Spatial Reference System

NAD83: North American Datum 1983

CGVD28: Canadian Geodetic Vertical Datum of 1928

WGS84: World Geodetic System 1984

ESPG: EPSG codes are a list of georeference projection coordinate systems and are used in [OGC \(Open Geospatial Consortium\) standards](#).

Appendix 4 – Questions / Answers

QUESTION 1

Is it necessary to apply for renewal of an ATI authorization in order to complete work that has already been authorized but not yet completed?

Answer: Yes. An ATI authorization is valid for two years but can be renewed for one additional year if the work has not been done or is only partially completed. To qualify for renewal, the application must be filed by the holder before the date on which the ATI authorization expires (see Section 1.2). If not, the holder must apply for a new, two-year ATI authorization.

QUESTION 2

Is an ATI authorization required for exploration work covered by the *Regulation respecting the regulatory scheme applying to activities on the basis of their environmental impact (RRSEI)*, overseen by the Ministère de l'Environnement, de la Lutte contre les changements climatiques, de la Faune et des Parcs?

Answer: No, an ATI authorization and an environmental authorization under the RRSEI are required only for the impact-causing exploration work set out in paragraph 1 of section 108 of the Regulation. That work is as follows:

- (1) Any excavation for the purpose of mining exploration, involving one of the following:
 - a) the movement of 5,000 m³ or more of unconsolidated deposits;
 - b) rock stripping or the movement of unconsolidated deposits covering an area of 10,000 m² or more;
 - c) the extraction or movement of mineral substances for geological or geochemical sampling in amounts of 500 metric tons or more.

QUESTION 3

How many zones of interest must a promoter provide in the ATI application in order to carry out five rock stripping operations (less than 10,000 m² per claim), six diamond drilling operations and one seismic refraction geophysical survey in a geological formation?

Answer: The promoter must provide at least three zones of interest (one for the drilling operations, one for the rock stripping and one for the seismic refraction survey).

QUESTION 4

Can a drilling campaign be enhanced by adding more drill holes when a geological formation of interest is intersected?

Answer: Yes, a promoter can carry out drilling throughout the zone of interest defined in the application after the ATI authorization has been issued and for as long as it remains valid. The promoter must comply with the conditions of the forestry permit. If changes are required to the forestry permit, the promoter must approach the management unit in the work sector. For drilling outside the zone of interest, or for work of a different nature, however, the promoter must request a new ATI authorization.

Appendix 5 – ATI Authorization Application Form

When applying for an ATI authorization, you must use the form provided, which can be found at the address below:

<https://mrnf.gouv.qc.ca/mines/formulaires/>

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