



# Class 1 Notifications: Questions & Answers

April 2019

Energy, Mines and Resources

# Class 1 Notifications: Questions & Answers

This document provides a series of frequently asked questions and answers regarding the notification requirements for Class 1 quartz exploration programs, Class 1 placer operations and Class 1 work on placer prospecting leases. For more information contact your district Mining Recorder's Office.

## What is a Class 1 notification?

In specific areas of Yukon, claim holders and operators are required to submit a notice to the Yukon government **and receive a response to allow the activities to go forward** before starting any Class 1 level work (i.e., exploration activities) on mineral claim(s) or lease(s).

## What is Class 1 level work?

Class 1 level work or exploration activities are activities that occur on claim(s) and/or lease(s) and are defined in the *Quartz Mining Land Use Regulation* and *Placer Mining Land Use Regulation* class criteria tables for [quartz](#) and [placer](#) (column 2 in the table). If you are not sure whether your planned activities are considered Class 1, please contact your district Mining Recorder's Office.

## Who does Class 1 notification apply to?

Class 1 notification applies to claim holders and operators undertaking Class 1 quartz exploration, Class 1 placer exploration and placer prospecting lease work in designated Class 1 notification areas. These specific areas are listed in the next section.

Claims or prospecting leases that partially overlap a Class 1 notification area, or grouped claims where any part of the grouping overlaps a Class 1 notification area, require the submission of a Class 1 notification.

Operators holding a Class 2, Class 3, or Class 4 mining land use approval are not required to submit a Class 1 notification. However, if you wish to undertake an activity that is not included in your Class 2, 3, or 4 mining land use approval, contact Compliance Monitoring and Inspections about your particular situation. A Class 1 notification cannot be used to add activities to an existing Class 2, 3 or 4 operating plan.

## Where are notifications required?

Class 1 notifications are required in the following designated Class 1 notification areas:

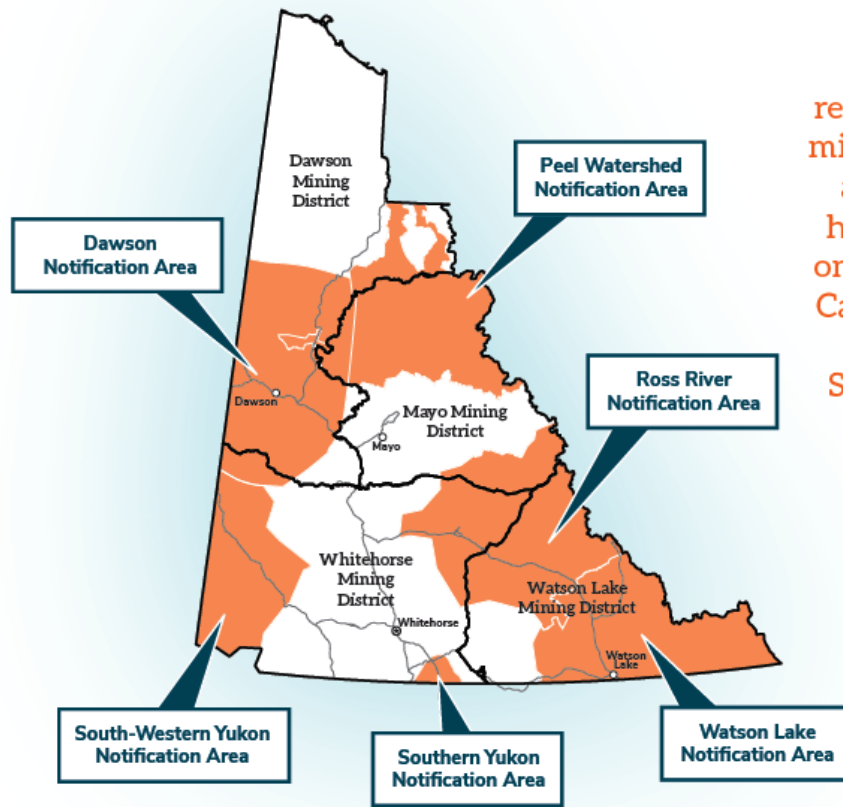
- Ross River area
- Peel River Watershed area
- South-Western Yukon area
- Watson Lake area
- Southern Yukon are;
- Dawson area
- All Category A and Category B Settlement Land identified in or pursuant to the Yukon First Nation Final Agreements

There are no changes to the Class 1 notification areas for the 2019 exploration season.

If you are not sure whether your work on your claim(s) or lease(s) requires notification, please contact your district Mining Recorder's Office. They will let you know if you need to submit a Class 1 notification.

The map below indicates several of the Class 1 notification areas. Maps of each area where notification is required are also available online:

[http://www.emr.gov.yk.ca/mining/class\\_1\\_notification.html](http://www.emr.gov.yk.ca/mining/class_1_notification.html).



Notification is required for Class 1 mineral exploration activities in the highlighted areas on the map, and on Categories A and B First Nation Settlement Land.

## Why is notification required in some areas of Yukon?

The Yukon government has a legal duty to notify and consult with affected First Nations and the Class 1 notification process enables the Yukon government to meet this requirement.

Class 1 notification has been a requirement in parts of Yukon since January 2014. Additional notification areas have been added and over half of Yukon is now designated a Class 1 notification area.

## How do I submit a notification form? Can I submit online?

Class 1 notifications can be submitted online using the Class 1 Notification System at <https://yukon.ca/en/doing-business/licensing/submit-class-1-exploration-notice>. The

“Class 1 Notification Online Submission Guidelines”, available on our website, provide instructions for filling out the online form. Public computers are available in each of the district Mining Recorder’s Offices to complete the online notification forms.

Completed notification forms can also be delivered to the staff at your district Mining Recorder’s Office in person, by fax or electronically to the e-mail address for the appropriate district office. Please see the last page for district office contact information.

## What happens after I submit my notification form to the Mining Recorder?

When a Class 1 notification form is submitted it must be filled out in full. The Mining Recorder’s Office will not hold incomplete forms.

Once received, the notification is reviewed by staff of the Mining Recorder’s Office to ensure it contains the level of detail required to forward to affected First Nations and relevant Yukon government departments for the 25 day review period. The review period will not start until all required information has been received.

During the review period, the Mining Recorder’s Office staff will be in touch if additional information is needed.

Please note all information provided with the notification will be made available to the affected First Nations and the Yukon government departments of Energy, Mines and Resources, Environment and Tourism and Culture. This review process does not include a public review and there is no public notice or public access to the notifications.

Please see the Class 1 flow chart for further information.

<http://www.emr.gov.yk.ca/mining/pdf/class1-notification-process-2019.pdf>

## How long does it take to process a notification?

Once you have completed planning your Class 1 work program, you should submit a notification as early as possible to provide adequate time for review and First Nation consultation.

Once the notification has been received and is deemed complete, the 25 day review period begins. The review period may be extended to meet the Yukon government's consultation obligations. Once the review period is over, you will receive one of the following determinations:

- The program may proceed with standard terms and conditions;
- The program can proceed with additional terms and conditions; or
- The program will be refused and notice will be sent to the operator and the affected First Nation(s).

A formal response to the notification will be issued when the Class 1 notification process is complete. In addition to the standard operating conditions required under the mining land use regulations, there may be additional terms and conditions included in the response that must be followed while conducting work on your claim(s) or lease(s). The purpose of the added terms and conditions is to mitigate concerns raised by the Yukon government departments or affected First Nations during the review of period.

## What happens if I don't submit a notification when one is required?

Please contact the district Mining Recorder's Office if you have concerns that you may not have submitted a Class 1 notification in a Class 1 notification area.

## Is reclamation required for Class 1 exploration programs?

All Class 1 work programs must be reclaimed and all structures must be removed within 12 months from the date your Class 1 work program is approved as described in the *Quartz Mining Land Use Regulation* and *Placer Mining Land Use Regulation*.

In some situations, it may be appropriate for the Yukon government to collect security to cover any potential liabilities. This does not mean that all Class 1 work programs will require security. It will depend on the location of the program, the values in the area, and the type of proposed activities. This will be assessed on a case-by-case basis.

## Can I change a Class 1 notification after it has been submitted?

The notification can be altered once it is submitted provided that the notification has not been processed and sent out for consultation and review. If you wish to make changes after the notification has been distributed for review, the notification will be cancelled and you will need to submit the revised notification form and restart the process.

## Can a notification be refused?

The Class 1 work program may be refused in a case where additional terms and conditions cannot mitigate the adverse effects of the activities. This is similar to existing provisions for Class 2, 3 and 4 in the mining legislation. A notification with a revised Class 1 work program can be re-submitted for consideration.

## Can I appeal if my notification is rejected?

There is no appeal process for refused notifications. The only option is to re-submit a notification with a revised Class 1 work program for consideration.

## What if I need to change my program during the field season?

If an amendment is required to a Class 1 work program once it has been approved, please contact the district Mining Recorder's Office to determine the significance of the amendment. For example, if activities or claims are added that were not considered in

the review and consultation with First Nations, an additional 25-day review process may be required.

## What other notices, permits or authorizations do I need?

If there is any water use on site, at a rate less than 300 m<sup>3</sup> per day, a [Schedule 3: Notice of Water Use without a Licence](#) must be submitted directly to the Yukon Water Board. For more information regarding Schedule 3, please contact the Yukon Water Board at [www.yukonwaterboard.ca](http://www.yukonwaterboard.ca) or speak with a mining inspector from Compliance Monitoring and Inspections Branch. Water use in excess of 300 m<sup>3</sup> per day or any discharge of waste to any surface water body cannot be considered as part of a Class 1 project.

Other permits may be required to conduct your work program. For example, a Land Use Permit under the *Territorial Lands Act* may be needed to access your claims. It is the responsibility of the proponent to ensure they have all necessary permits in place. Please see the Permit and Authorization Guide for Yukon Activities for more information on required permits for a variety of activities.

<http://www.emr.gov.yk.ca/pdf/permit-authorization-guide-yukon-activities-July2015.pdf>

You may also require pre-approval from the district Mining Recorder's Office for specific activities.

## Do I need to consult with First Nations on my Class 1 activities?

The Yukon government will notify and consult with all affected First Nations on your Class 1 notification. Claim holders and operators are encouraged to engage with the First Nations who have traditional territories in which the claim(s) or lease(s) are located before submitting a Class 1 notification.



Communications with the affected First Nation, including permits, letters of permission, etc., can be included with your Class 1 notification review to help streamline the notification process. Permission from a First Nation to carry out work does not eliminate the requirement to file a Class 1 notification with the Yukon government.

## Note for Placer Prospecting Leases

The online system is **only** for Class 1 notifications for **placer and quartz claims**. Submit Class 1 notifications for prospecting leases using the lease work program form. Only prospecting activities are allowed on a prospecting lease; mining or preparation for mining (e.g. stripping) is not allowed.

- One mile of placer lease has the same activity thresholds as a single placer claim, with the exception of trenching which allows for 1,200 m<sup>3</sup> per mile.
- Work completed on a placer lease must match the work program submitted to the Mining Recorder.
- Work not pre-approved by the Mining Recorder will not be accepted for assessment credit, which may result in the loss of the lease.

If you have any questions regarding how the new Class 1 notifications will work for placer prospecting leases, please contact the district Mining Recorder's Office.

For more information or to submit a Class 1 notification please contact the Mining Recorder's Office for your district at:

**Dawson Mining Recorder**

Box 249  
Dawson City YT Y0B 1G0  
Canada  
Phone (867)993-5343  
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[Dawson.mining@gov.yk.ca](mailto:Dawson.mining@gov.yk.ca)

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