

January 17, 2018

Hon. George Heyman  
Ministry of Environment and Climate Change Strategy  
PO Box 9047 Stn Prov Govt  
Victoria, BC V8W 9E2

Dear Minister Heyman,

**Re: AME's Perspective on the Review of the Professional Reliance Model**

AME is pleased to provide our perspective on the BC government's review of the professional reliance model in environmental and natural resource sector (NRS) decision making. AME also was pleased to be a part of the select interview group for this review process, and this letter should augment the previous opinion on this subject provided by AME.

AME is the lead association for the mineral exploration and development industry based in British Columbia. Established in 1912, AME BC represents, advocates and promotes the interests of almost 5,000 members who are engaged in mineral exploration and development in BC and globally. AME encourages a safe, economically strong and environmentally responsible industry by providing clear initiatives, policies, events and tools to support its membership. AME is a not-for-profit association, funded by our membership and receives no government funding. AME's membership is diverse, ranging from individual prospectors and small junior companies to major multi-national companies and industry suppliers. Many of our members are public companies listed on the Toronto, as well as international stock exchanges.

AME supports the position that the provincial government needs to ensure that the highest professional, technical and ethical standards are used and applied in decision making in BC. AME notes the Terms of Reference for the Professional Reliance review identify three specific questions for the review as follows:

1. Whether professional associations that oversee qualified professionals employ best practices to protect the public interest;
2. Whether government oversight of professional associations is adequate; and
3. Conditions governing the involvement of QPs in government's resource management decisions and the appropriate level of government oversight to assure the public their interests are protected.

In the process of soliciting and interpreting public feedback on these questions, we believe that the desired outcomes from the review are:

1. Transparency and public trust in government decisions.
2. Ensuring QPs are used appropriately in the NRS

Crucially, we believe that the clear definition of any deficiencies in the current system is essential in order to support optimal outcomes that will support public confidence, efficient public administration and use of public resources.

Members of AME who work in the mineral exploration and development industry regularly use registered professionals in a variety of roles, most notably Professional Geologists and also Engineers, Agrologists, Biologists; and in some circumstances, Foresters and Technologists. Noteworthy is that a significant number of AME individual members are registered in one of these professional associations. Members of the Association, other companies and third-party interests all rely on the professional expertise of these and other registered professionals as mineral exploration projects are discovered, described, financed and developed.

In relation to applied geology, mineral resource characteristics and valuation, many of AME's members who are typically Geoscientists or Engineers can also be governed as a Qualified Person under the National Instrument 43-101 Standards of Disclosure in relation to information for listing of mineral exploration companies on stock exchanges. The Instrument is a codified set of rules and guidelines for reporting and displaying information regarding mineral properties owned by, or explored by, companies which report these results on stock exchanges within Canada. Information and data analyses on mineral projects must be submitted by such 'qualified persons' and are subject to review by experts working for the stock exchanges for technical assurance and ultimately investor confidence.

Mineral exploration and mining in BC are regulated under the *BC Mines Act* and Health, Safety and Reclamation Code for Mines in British Columbia. While this Act and regulatory provisions are specific to the activities of the industry in the province, there are numerous other acts that require strict adherence for exploration and mine development (*BC Fisheries Act, BC Water Sustainability Act, Environmental Assessment Act* and others). There are also a number of federal acts and legislation that many BC exploration proponents must also adhere to in order to undertake their activities (*Species at Risk Act, Canadian Environmental Assessment Act, Migratory Birds Act* and others). As mineral exploration companies prepare and submit plans to undertake their activities, oversight and guidance by qualified professionals is provided to ensure that applicants submit documents that meet regulatory requirements under the varied disciplines required, working within defined areas of practice and competency to assure that public interests are foremost in submissions and operations.

All professional associations establish requirements to ensure qualified professionals work within defined areas of practice and in subject areas of competence and undertake their responsibilities to ensure public safety and public confidence. Professional associations regularly review members competency, require members to undertake educational updates and investigate situations where breach of professional conduct may have occurred. It is also commonplace for associations to review their members' right of practice, and propose opportunities to improve professional and government oversight of regulated practice.

AME is conceptually supportive of the Province's efforts, such as this Review, to bolster public confidence in its legislative, regulatory and administrative functions. We believe the best source of information to guide this review is the collective input and experience of the associations that regulate

professionals in BC. Notwithstanding the need to have public perspectives and objectives included in the review, we also believe that each association can provide objective opportunities for the improvement of the various acts and relationships to external stakeholders that will minimize unnecessary or redundant oversight or cumbersome decision-making for government.

From the perspective of our industry and our members, AME would like to remind government that as mineral exploration activity advances into more complex stages – oversight by government (federal, provincial, local and Indigenous - and sometimes international) increases due to the complex nature of the mineral deposits, global financial reporting and requirements for industrial development. The process of advancing a mineral prospect toward production is challenging, especially when coupled with a reality that attracting and retaining significant capital is sensitive to investor confidence in any jurisdiction. A streamlined government decision-making process that is supported by suitably qualified and regulated professionals is critical to positioning BC as a leading supplier of responsible minerals and metals.

Industry and government both rely on external expertise to consider and assess advanced exploration projects as they advance toward becoming an operating mine. The more technical aspects of any major mine proposal utilize expert professionals that are often difficult to find due to the level of expertise required. Specialized and expert technical expertise to support advanced mineral exploration could include characterization of geological deposits and extraction methodologies, water quality/quantity issues and design of tailing storage facilities. The assumption that these aspects of professional reliance have inadequate levels of qualification, scrutiny or professional oversight in existing review processes such as Environmental Assessments and/or technical permitting is flawed, as is the expectation that these types of specialized professionals could be easily recruited and retained to fulfil duplicative internal reviews by government.

AME is on the record with government (Ministry of Energy, Mines and Petroleum Resources specifically) supporting additional administrative and specialist resources to support permitting and other key government deliverables to assure public engagement and confidence in our sector. However, we question the merits on balance of cost and benefit of a redundant review of a qualified and registered professional's opinions/prescriptions in enhancing public confidence and ultimately, the effectiveness of decisions made by government.

AME offers the cautionary note that where the breadth of expertise within government review does not surpass that of the qualified professional who submitted the proposed approach, the outcome could be detrimental to the public interest.

Like government, AME also wants this review process to increase public confidence in the work of qualified professionals. AME cautions that decisions made through the review process should not erode the scope of practice of competent professionals who work diligently in their fields of practice to ensure appropriate plans and approaches to technical issues.

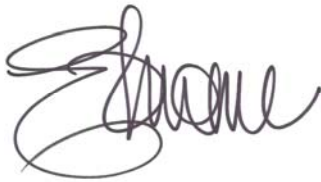
The second question in the Terms of Reference asking if “Whether government oversight of professional associations is adequate” may be more of an internal question to government than a question to be

answered in a public process. AME supports that government should be more interactive with the professional associations to increase professional practices and public confidence. Before a definitive approach is taken, the opportunity that needs to be addressed must be clearly defined and understood, and multiple perspectives involved in the solution.

AME shares the aspirations of this review process of achieving “Transparency and public trust in government decisions” and “Ensuring QPs are used appropriately in the NRS” for the benefit of successful mineral exploration and development in BC. While we believe that this is being generally achieved through existing practices, it can be optimized by government working collaboratively with the professional associations upon which our members and sector rely. To ensure the durability of the Province’s approach over time and across professions, we suggest that taking a cautious approach on measures that could limit the scope of practice of qualified professionals based on public misconceptions or specific values that may not reflect an inclusive view of provincial priorities.

We appreciate the opportunity to provide comments on behalf of our members on this important initiative.

Sincerely yours,

A handwritten signature in black ink, appearing to read 'Edie Thome', with a large, stylized initial 'E'.

Edie Thome  
President & CEO  
Association for Mineral Exploration