

# **Ministry of Energy, Northern Development and Mines Aboriginal Participation Fund**

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2020-2021 Mineral Development Advisor Program Guide

## What You Need to Know Before You Apply

Before completing your application to the Aboriginal Participation Fund (APF), please read the entire program guide for the Mineral Development Advisor Stream.

Questions about program guidelines may be directed to:

Transfer Payment Coordinator  
Strategic Services Branch  
Mines and Minerals Division  
Ministry of Energy, Northern Development and Mines  
(705) 670-5826

Toll free: 1 (888) 415-9845 ext. 5826

Email: [aboriginalparticipationfund@ontario.ca](mailto:aboriginalparticipationfund@ontario.ca)

### Transfer Payment Ontario (TPON) – Getting registered

Applicants using TPON (formerly Grants Ontario) for the first time must [create a “ONE-key” account](#) and should register for access at least three weeks in advance of the APF’s application deadline. If an applicant has previously submitted an application for funding from other programs through TPON, a new ONE-key account is not required.

**Technical questions regarding TPON** may be directed to:

Email: [TPONCC@ontario.ca](mailto:TPONCC@ontario.ca)

Telephone: (416) 325-6691 or 1-855-216-3090, Monday to Friday from 8:30 a.m. to 5 p.m.  
Eastern Standard Time

Since applicants must register with TPON to access APF applications, most of the information requested in the first few sections of the application form (such as address, contact information, etc.) will be automatically filled in using data from the registration process.

Please note that the ONE-key account is registered at the individual level and not the organization level. If someone in your organization has an account that is used for a different grant application, but you are the one submitting a new application, a separate account will be required.

Once an application has been started, it may be saved or downloaded at any point and returned to later. Please refer to the [Transfer Payment Ontario website](#) for instructions on how to submit the application.

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## 1. Introduction

### a. Background

The Province supports Aboriginal participation in the mineral development process across the mining sequence through a variety of ways mechanisms, including information sharing, capacity development and consultation. This support is provided through a variety of initiatives, including the Aboriginal Participation Fund's Mineral Development Advisor program stream.

The Aboriginal Participation Fund (APF) aligns with the ministry's core business, activities and priorities. It also complies with Ontario's Transfer Payment Accountability Directive.

The application process for the APF will ensure that Ontario allocates funds to communities in a manner that is fair, transparent and efficient.

### b. MDA stream objectives

The 2009 amendments to Ontario's Mining Act (the Act) introduced regulatory requirements for exploration plans and permits at the early mineral exploration stage of the mineral development sequence. These requirements include providing formal notice to, and consulting with, communities whose Aboriginal and/or treaty rights may be adversely affected by proposed mineral exploration activities. The amendments to the Act also formalized requirements for consultation with Aboriginal communities at the advanced exploration and mine development stages, as per [Part VII of the Act](#).

The Mineral Development Advisor (MDA) position provides eligible Aboriginal communities and organizations, such as tribal councils, with additional resources and support to participate effectively in these regulatory consultation processes, including the review of exploration plan and permit applications, closure plans and closure plan amendments, and environmental assessments.

Funding under this stream also helps increase community knowledge and understanding of the mineral development sequence, which includes mineral exploration, development and mining activities, and the associated economic benefits. This increased awareness and knowledge will enable greater participation in economic development activities that may arise, as well as support recommendations to leadership on decisions related to mineral sector activities.

## 2. Eligibility

### Who is eligible?

Ontario Aboriginal communities or organizations experiencing high mineral exploration and/or development activity can apply. Communities must have received 10 or more

exploration plans and/or permit applications in the previous fiscal year (April 1 to March 31) to be eligible for funding.

Please note, communities that receive fewer than 10 exploration plans and/or permit applications may be eligible for this stream if they are engaged in reviewing two or more closure plans, closure plan amendments, and/or mineral development-related environmental assessments.

**Applicants who have outstanding reporting and/or overpayment due to the Ministry of Energy, Northern Development and Mines (the Ministry) or any other known outstanding reporting and/or overpayment due to the Government of Ontario will not be evaluated for new funding, until such time as those matters are resolved.**

### 3. Who can apply?

Eligible applicants may be:

- **Single Applicants:** Indigenous communities in areas of high mineral exploration and/or development activity;

**OR**

- **Joint Applicants:** Aboriginal communities and organizations (e.g., tribal councils) in areas of high mineral exploration and/or development activity. Joint applicants must have the support of the communities they represent and a substantiated record of representing member communities on local lands and resources issues. Eligible joint applicants include:

- Two or more eligible communities, applying jointly with combined exploration activities

**OR**

- In specific circumstances, and at the discretion of the ministry, other Aboriginal organizations, such as a Provincial-Territorial Organization (PTO), if they have the support of the communities they represent.

### 4. Funding amount

The ministry will consider funding up to a maximum of \$130,000 per year, up to a three-year term.

Applicants are encouraged, wherever possible, to work together to maximize the benefits of available funding.

The ministry may consider funding additional positions, in part or in full, based on the mineral development activity and the community's or tribal council's need.

## 5. Expenses

### a. What expenses are eligible?

Eligible expenses include:

- Salary wages and Mandatory Employer-Related Costs (MERCs) (Appendix B)
- Professional, consultant or other fees for technical expertise directly related to the project, if required
- Costs for introductory and advanced training, as well as costs associated with attending training for MDAs related to mineral exploration and development
- Community outreach for activities such as community meetings, presentations and workshops
- Costs associated with meetings, site visits or honoraria to Elders on specific early exploration projects where those costs are not otherwise covered by the proponent
- Equipment purchase directly related to the project, such as office equipment (e.g., desks, chairs, printers, computers, software, etc.). These expenses may only be eligible in year one (1) of the negotiated Transfer Payment Contribution Agreement (TPCA).
- Costs related to administration such as space and equipment rental, utilities, telephone/fax charges, network charges, postage/courier charges, photocopying charges, financial institution service fees, software updates and office supplies.

### b. What expenses are ineligible?

Ineligible expenses include:

- Any proposal that falls outside of the parameters of the program stream objectives
- Costs related to any initiative that is already fully funded through other sources, including project-specific proponent costs and contributions, including in-kind and government funding programs
- Honoraria to individuals who are already receiving a salary from the applicant in another capacity
- Capital asset costs
- Business development costs
- Costs related to the Government of Canada's consultation or engagement initiatives and/or costs related to other provinces' consultation or engagement activities
- Costs related to research undertaken for the purposes of pursuing land claims or litigation
- Legal fees (beyond those directly related to the review of the Transfer Payment Contribution Agreement in year one).

## 6. About the application

Aboriginal communities should discuss this stream with a Senior Advisor or Transfer Payment Co-ordinator before applying. Please email the [aboriginalparticipationfund@ontario.ca](mailto:aboriginalparticipationfund@ontario.ca) to connect with a staff member.

### a. Application form and process

Applicants will be required to download, fill out and upload their completed application to TPON. Further information about each section of the application form is outlined below.

#### i. Sections A to C: Organization Information

These sections are explained in the application form. Sections A and B are pre-populated. To make a change to this information, please submit an assistance request through the TPON system.

#### ii. Section D: Grant Payment Information

This section is explained directly in the application form.

#### iii. Section E: Application Contact Information

This section is explained directly in the application form.

#### iv. Section F: Additional Questions

**Question 1 – Is/Are your community/member communities receiving funding through other Ontario government consultation capacity programs? (maximum 2000 characters)**

- Receiving funding from other sources does not disqualify or disadvantage your application. ENDM encourages communities to seek funding from other ministries or funding sources. Please identify these sources in your application and describe how MDA funding would complement or be different from funding you are already receiving.

#### v. Section G: Performance Measures

There are set performance measures for the Mineral Development Advisor stream. The target number or 'goal' is all that is required. In addition to the specific performance measures listed, your project may have other performances measures that may be added to the blank areas of the chart.

Metric	Description
Review work plan with MDA within one month of the MDA being hired.	The Recipient will designate <insert job title of designate(s)> to review a copy of this work plan with the MDA.
Complete the online Mining Act Awareness Program within two months of the MDA being hired	Completes the online Mining Act Awareness Program (MAAP) offered through ENDM's website.

Annual in-person meeting achieved by March 31 of each year	Attend meetings with ENDM to discuss the Recipient’s participation in consultation processes, and other mining-related topics that may exist in the Recipient’s community or region. ENDM expects to invite the MDA to one annual in-person meeting.
At minimum, participate in the ENDM quarterly meetings	Attend meetings with ENDM to discuss the Recipient’s participation in consultation processes, and other mining-related topics that may exist in the Recipient’s community or region. ENDM expects to invite the MDA to quarterly teleconferences.
Minimum of one completed by March 31 of each of each year	Conduct community education and awareness building activities. This must include, at minimum, an annual presentation to Chief and Council, community governance and membership regarding the MDA’s activities in the previous year.
Metric	Description
<a href="#">Click here to enter text.</a>	<a href="#">Click here to enter text.</a>

**vi. Section H: Project Work Plan**

Applicants must review required activities listed under the work plan

Expectations regarding key milestones and required activities are laid out in the attached work plan in Appendix A, provided for reference only. To be eligible for funding, recipients must fulfill mandatory requirements within each category set out in the work plan. Applicants may also propose tribal council/community-specific activities and milestones that would be achieved throughout the funding term. If approved for funding, the key activities and milestones described in the application will become mandatory, binding commitments set out in the TPCA ultimately signed by the parties. If an applicant has proposed community-specific activities outside the core functions of the MDA position, those will be negotiated in the final TPCA. An applicant must complete their work plan within TPON prior to an application being submitted.

The recruitment process for an MDA should, at a minimum, seek individuals who can demonstrate they have the aptitude to acquire, in a timely manner, the following skills and knowledge:

- Knowledge of the mineral exploration and development industry, including the mineral development sequence and its activities, methods, terminology, challenges and opportunities
- Knowledge of the Mining Act, the regulatory processes and approvals, and their associated timelines
- Tact and good judgment, with a demonstrated ability to engage in difficult decision-making processes with varied stakeholders and partners
- Strong communication and facilitation skills, with a demonstrated ability to communicate and explain technical information to a range of audiences

- Political acuity and effective relationship building skills, with an ability to nurture strong working relationships among the communities and community members that they represent, the government, industry representatives and other parties
- Ability to use a computer, email, Internet and basic software used to process information electronically

#### **vii. Budget**

The funding request must include a budget based on anticipated costs associated with the work plan. Refer to Appendix B for the budget template.

A sample template is also included in Appendix B for use as a reference only. Those applying for three-year funding terms must complete a budget for each year of funding. The applicant is not expected to know the specifics for each expense category at this time but should provide a reasonable estimation of costs for each fiscal year. Be sure to:

- Record the anticipated total and itemize expenditures that will be required for the MDA position for each year
- Provide a full picture of the total annual cost associated with training opportunities, community outreach and education opportunities, meeting expenses and other associated expenditures.

#### **viii. Submission checklist**

Applications must be submitted through TPON.

A complete application submission package must include:

- The application (includes work plan for each year for which the applicant is requesting funding)
- A budget for each year for which the applicant is requesting funding
- A current Certificate of Insurance
- Audited financial statements for the previous fiscal year
- For those applying jointly, or on behalf of a tribal council, letters of support from each community to which the MDA will provide support.

Please ensure that you have:

- Reviewed this guide
- Consulted with a transfer payment co-ordinator or senior advisor if you have any questions.

## 8. Evaluation criteria

The ministry will consider applicants who meet the basic eligibility criteria (see Section 2) and whether the applicant has:

- Detailed a clear plan for building knowledge and understanding of the mineral sector and its activities in their community or with the member communities that they represent
- Provided evidence that shows a clear understanding of the program objectives and how the MDA position plays a role in these areas.

A ministry panel will evaluate the applications. The evaluation criteria outlined in this guide will apply to all applications. Funding will be awarded at the ministry's discretion, based on:

- A demonstrated need for support
- The applicant's capacity to successfully manage the MDA position
- A demonstrated commitment to:
  - Participate in the regulatory process
  - Build knowledge and capacity at the community level
  - Build relationships with industry, government and other partners.

The ministry will also undertake a risk assessment and financial appraisal of all applicants to confirm they have the capacity to manage a Transfer Payment Contribution Agreement.

Please note that meeting the evaluation criteria does not guarantee funding or a particular funding amount.

Applicants will receive notification of the status of their application within three months of submitting a complete application. Please refer to Section 7 for a complete listing of submission documents.

## 9. Recipient obligations

Successful applicants will be required to:

- Sign a Transfer Payment Contribution Agreement with the ministry outlining the terms and conditions for receiving funds
- Carry at least \$2 million in commercial general liability insurance coverage, and add "Her Majesty the Queen in Right of Ontario as represented by the Minister of Energy, Northern Development and Mines" as a co-insured on this coverage before the Transfer Payment Contribution Agreement can be executed
- Report back to the ministry within the specified timeframes as outlined in the Transfer Payment Contribution Agreement, using the ministry's reporting forms
- Allow the ministry to verify and/or audit the information submitted (at the discretion of the ministry) to ensure the information is complete and accurate, and the funds were used for the intended purpose(s)

- Agree that the ministry has the right at a future date to recover the funds that were transferred to the recipient if the funds were not used for the intended purpose(s), (e.g., specified services were not delivered or intended outcomes were not achieved)
- Obtain the ministry's approval for any change to the proposed project (once funding has been approved).

Applicants should also be aware that the ministry is bound by the [Freedom of Information and Protection of Privacy Act](#), R.S.O. 1990, c.F. 31 (Freedom of Information), as amended from time to time, and that any information provided to the ministry in connection with an application may be subject to disclosure in accordance with the Freedom of Information requirements.

## 10. Disclaimer

The ministry cannot guarantee that it will grant funding to all applicants, nor can it guarantee that the total amount requested by successful applicants will be granted. The ministry reserves the right, at its sole discretion, to fund or not fund any particular project or program for which an application has been submitted.

Applicants should also be aware that meeting the evaluation criteria as outlined in this guide does not guarantee any funding amount. Funding is dependent on the availability of funds, the ministry's review of the application and the recipient entering into a Transfer Payment Contribution Agreement. Funds received may only be spent on eligible activities carried out during the funding year specified in the budget that will be attached to the agreement.

The provision of funding under the ministry's APF is not an acknowledgement by the Government of Ontario of an Aboriginal or treaty rights-bearing collectivity or of constitutionally-protected Aboriginal or treaty rights, nor is it an indication of a duty or commitment to engage a successful applicant in any specific consultation activities.

## Appendix A: Sample workplan

Component	Required activities	Description	Applicant
Hiring and management of MDA	<p>1. The Recipient will employ a Mineral Development Advisor (MDA) during the period from &lt;insert start date&gt; to &lt;insert end date&gt;. If the MDA position becomes vacant within this period, the vacancy will be filled within two months.</p>	<p>Describe how the intended MDA would meet the skills and qualifications for the position.</p>	<p><a href="#">Click here to enter text.</a></p>
Hiring and management of MDA	<p>2. The Recipient will designate &lt;insert job title of designate(s)&gt; to:</p> <ol style="list-style-type: none"> <li>Manage and oversee the activities and performance of the MDA</li> <li>Review a copy of this work plan with the MDA</li> <li>Confirm that the Recipient is participating in consultation processes conducted pursuant to the <i>Mining Act</i></li> <li>Confirm the Recipient is providing community education and awareness-building as prescribed in this work plan</li> <li>Confirm the data necessary for the Reports required under this Agreement are being compiled and tracked, and Reports are being completed and submitted by authorized persons.</li> </ol>	<p>Identify the position or position(s) that will provide management oversight to the MDA.</p> <p>Where the applicant is a Tribal Council (TC), describe how the applicant will manage the MDA within and among the TC member communities.</p>	<p><a href="#">Click here to enter text.</a></p>
MDA training	<p>1. The Recipient will ensure the MDA does all of the following:</p> <ol style="list-style-type: none"> <li>Obtains and maintains the required knowledge and skills for the MDA position, including through participating in training, workshops, conferences, seminars and other mining related training, as necessary</li> <li>Completes the online Mining Act Awareness Program offered through ENDM's website, within two months of the MDA's start date (or, if the person occupying the MDA position changes, within two months of the new hire's start date)</li> <li>When invited by ENDM, attend meetings with ENDM to discuss the Recipient's participation in consultation processes, and other mining-related topics that may exist in the Recipient's community or region. ENDM currently expects to invite the MDA to:               <ul style="list-style-type: none"> <li>○ Quarterly teleconferences at times to be scheduled by ENDM; and</li> <li>○ One annual in-person meeting, to be scheduled and hosted by ENDM.</li> </ul> </li> </ol>	<p>Describe any additional training the MDA may undertake, as time and budget allow.</p>	<p><a href="#">Click here to enter text.</a></p>

Component	Required activities	Description	Applicant response
<p>Participating in consultation processes pursuant to the <i>Mining Act</i></p>	<p>1. The MDA will support the Recipient in reviewing and responding to notices of proposed early exploration activities (e.g., exploration plans and exploration permits) by carrying out specific activities at the direction of the Recipient, including:</p> <ul style="list-style-type: none"> <li>a. Receiving copies of plans and permits sent to the community, noting requested response timelines and tracking responses, if any</li> <li>b. Providing or helping to provide initial responses to notices of exploration plans within 21 days of receipt</li> <li>c. Providing or helping to provide feedback on notices of exploration permits within 30 days of receipt</li> <li>d. Helping the community understand technical issues related to the proposed projects, if necessary</li> <li>e. Helping the community understand and/or assess potential impacts of proposed projects, if any</li> <li>f. Assisting with the co-ordination of site visits, when appropriate.</li> <li>g. Co-ordinating and participating, as required, in any community meetings related to early exploration</li> <li>h. Engaging or supporting engagement with early exploration proponents to whom procedural aspects of ENDM's consultation process have been delegated, which may include meetings with industry proponents</li> <li>i. Co-ordinating responses to ENDM on potential adverse impacts that proposed activities may have on the community's Aboriginal or treaty rights, within the regulated timeframes.</li> </ul>	<p>Describe the role the MDA will have in responding to ENDM notices and consultation processes within the regulated timeframes.</p> <p>Describe any additional consultation related activities the MDA may undertake, as time and budget allow.</p>	<p><a href="#">Click here to enter text.</a></p>
<p>Participating in consultation processes pursuant to the <i>Mining Act</i></p>	<p>2. The MDA will support the Recipient in reviewing and responding to notices of activities requiring a closure plan or closure plan amendment (e.g., advanced exploration and mine development) by carrying out specific activities at the direction of the Recipient including:</p> <ul style="list-style-type: none"> <li>a. Receiving copies of notices sent to the community, noting requested response timelines and tracking responses, if any</li> <li>b. Reviewing or helping to review closure plans within the timelines requested by ENDM, as applicable</li> <li>c. Participating in consultation processes regarding advanced exploration and mine development proposals, including with</li> </ul>	<p>Describe the role the MDA will have in responding to ENDM notices and consultation processes within the regulated timeframes.</p> <p>Describe any additional consultation related activities the MDA may undertake, as time and budget allow.</p>	<p><a href="#">Click here to enter text.</a></p>

Component	Required activities	Description	Applicant response
	<p>project proponents to whom procedural aspects of consultation may have been delegated by ENDM</p> <p>Helping the community understand technical issues or obtaining additional technical support related to the proposed projects, as needed</p> <p>d. Helping the community understand and assess impacts of proposed projects, if any</p> <p>e. Participating, as necessary, in any community meetings related to advanced exploration projects</p> <p>f. Proactively maintaining ongoing relationships between the Recipient and proponents, as necessary</p> <p>g. Conducting field engagement and site visits, when appropriate</p> <p>h. Co-ordinating a formal response, if necessary, to ENDM on potential adverse impacts the proposed activities may have on the community's Aboriginal or treaty rights.</p>		
Community education and awareness building	<p>1. At the Recipient's direction, the MDA will conduct, or will support the Recipient in conducting community education and awareness-building activities, in both formal and informal ways. This must include, at minimum:</p> <p>a. An annual presentation regarding the MDA's activities in the previous year. This presentation will be made to Chief and Council, community governance and membership, and must be made by March 31 of each funding year.</p>	<p>Provide a list of potential meetings with the Chief and Council, community, etc. on mineral exploration and development education and awareness.</p> <p>List the activities the MDA will undertake to build awareness and knowledge of the mining industry within the community.</p>	<p><a href="#">Click here to enter text.</a></p>

## Appendix B: Sample budget template

Category 1 - Staffing expenses	Expense details	Reasonable Requested Percentage	Amount (\$)
<b>Salary costs:</b> Mineral Development Advisor	\$____ x ____ hours x ____ weeks (\$22.00-\$31.25.00)	35%-50%	
<b>Total requested staffing amount</b>			
Category 2 - Benefit expenses	Expense details	Reasonable Requested Percentage	Amount (\$)
<b>Mandatory Employer Related Costs (MERCs):</b> MERCs include employer's contribution to EI, CPP, WSIB.	Mandatory employer related costs to a maximum of 17.5% of staffing expenses	Up to 8%	
<b>Total requested benefit amount</b>			
Category 3 - Activity expenses	Expense details	Reasonable Requested Percentage	Amount (\$)
<b>Training:</b> training costs directly related to the project, including participation in training workshops, conferences and seminars, as well as the production or purchase of related training materials.		5%-10%	
<b>Staff travel, meals and accommodation costs:</b> travel, meals and accommodation costs directly related to the project.		5%-25%	
<b>Other meeting and related expenses:</b> costs for meetings, presentations, meeting rooms, travel, meals, honoraria, equipment rental and catering, which are directly related to the project.		5%-25%	
<b>Facilities, equipment, supplies and other charges:</b> costs for facilities, equipment, supplies and other costs that are specifically linked to project implementation, such as purchase or rental of relevant office equipment (office space, desks, chairs, printers, computers, software etc.).		5%-10%	
<b>Professional fees:</b> fees for consultants, auditors, translators, interpreters, note takers etc., in support of the project.		5%-15%	
<b>Total requested activity amount</b>			
<b>Sub-total of requested amount</b>			
Category 4 - Administration/other expenses	Expense details	Reasonable Requested Percentage	Amount (\$)
<b>Administration costs:</b> utilities, cellphone, telephone/fax charges, network charges, postage/courier charges, photocopying charges, financial institution fees and office supplies.	Administration Costs calculated of the approved budget sub-total	10%	
<b>Legal fees:</b> only legal fees directly related to the review of the Transfer Payment Contribution Agreement in funding year 1 are eligible.	Legal review of this Agreement	(not to exceed \$2,000.00)	
<b>Total requested administration/other amount</b>			
<b>Total requested amount</b>			