



## **Mining Related Activity on Crown Land**

### **Background**

Ontario's *Mining Act* is the key piece of legislation governing mineral exploration and mine development activities in the province of Ontario. This Act covers activities that occur before and after mineral production including claim staking, prospecting, exploration, mine development and the sustainable closure of mining operations. The government of Ontario has initiated a review of the *Mining Act* to ensure legislation promotes fair and balanced development that benefits all Ontarians in a sustainable and socially responsible way. The Premier has indicated that the province is "going to modernize the way mining companies stake and explore their claims to be more respectful of private land owners and Aboriginal communities".

Although many people in the mining community view early exploration activity as non-intrusive, such activity and what potentially follows can significantly alter the experiences being offered by nature and outdoor tourism operators in Ontario. Although consultation mechanisms and notification procedures have been legislated for other resource planning initiatives such as forestry, there is essentially no legal requirement for mining companies to consult or notify other users of Crown land before carrying out mineral exploration activities. A formal requirement for consultation or notification is not intended to discourage mining activity but rather to provide an opportunity for different users of Crown land to share knowledge, concerns and resources in order to effectively co-exist on a limited land base.

### **Policy**

- Mining interests need to recognize that their activities can significantly alter the value of remoteness which is an important determinant of tourism value
- Regardless of the degree a site is modified due to mining related activity, mining interests should be required to remediate sites to original condition
- Mining related activity must not undermine agreements or decisions made in other resource planning initiatives (e.g. Resource Stewardship Agreements negotiated in FMPs)
- To enable protection of legitimate values and interests on Crown land, there needs to be information sharing and better integration between MNDM, MTour and MNR
- A formal requirement for notification and consultation with potentially affected businesses prior to trail construction and activities that follow needs to be developed
- To prevent adverse environmental impacts or conflicts with existing land uses, there needs to be a requirement for work permits for trails and roads from MNR
- Where mining related activity adversely impacts existing business, mechanisms for compensation need to be developed
- Land use planning exercises and approval mechanisms should be designed so as to have as little impact as possible on legitimate mining related activity, consistent with protecting other interests
- Land use planning in Ontario's Far North is essential, however many of the issues that make land use planning necessary exist in the Area of the Undertaking as well

*Adopted by the NOTO Board of Directors October 27, 2008*