

THREE MODEST PROPOSALS CONCERNING MINING IN ONTARIO

Changes are urgently required to the rules that govern mining and mining exploration activities in the Province of Ontario so as to ensure that the rights, the interests and the health of the citizens of the Province are no longer made subordinate to the interests of mining firms.

While we are pleased that Minister Gravelle has acknowledged the need to modernize the Mining Act, we most strongly feel that a longer, more open and more meaningful consultation process is required, and that the proposals that have been made by affected parties after many years of considered discussion are included in the changes to the Act.

Through years of work, a number of well-informed individuals and groups have proposed three modest changes that aim to correct the most fundamental problems created by the extraordinary privileges that the current mining legislation gives to mineral exploration and mining firms.

The *Three Modest Proposals* listed here are consistent with what has been proposed by community groups, municipalities, environmental bodies, politicians from all levels of government, and municipal politicians working through the Association of Municipalities of Ontario (AMO).

These *Three Modest Proposals* call on the provincial government to treat all land owners fairly and equally, and to give land owners, municipalities and all affected persons a proper say in all mining-related activities that would have an impact on them, their rights, their responsibilities, their health and their livelihood.

Proposal 1: - Single Ownership - RE-UNIFY MINERALS WITH Land

The Government of Ontario re-unite all provincially-owned mining rights with land that is privately owned and municipally taxed.

This step will:

- ensure that the 2% of property owners who do not own the minerals under their property have the same rights as the other 98% of property owners;
- permanently resolve the problems of two owners to one property: where land owners, whose deeds assure the right to the private enjoyment of their property, can lose that right because the government allows prospectors to lay claim to the minerals under their land and to conduct exploration and mining activities on their land without the owner's consent; and
- bring an end to the discriminatory provincial mining acreage tax being levied on those properties where the owners already pay municipal taxes on their lands.

This is consistent with the resolution passed by the Association of Municipalities of Ontario (AMO) on June 22, 2007

Proposal 2: - Local Planning - STRENGTHEN MUNICIPAL PLANNING POWERS

The Provincial government give municipal governments: the ability to develop and to enforce official plans including mineral land use designation; and thus the subsequent authority to zone lands so as to restrict the locations in which mining activities can be undertaken, in accordance with municipal needs.

This will result in a better balancing of the importance of mining, agriculture, recreation and tourism to the economy of Ontario, and ensure more open and transparent governance that respects the different realities in different regions of the province.

Proposal 3: - Impact Authorization - REQUIRE A REVIEW and ANALYSIS OF IMPACTS

The Provincial government require a comprehensive public review of the impacts of proposed mineral exploration and mining activities before such activities can be undertaken by anyone.

This will ensure that mineral exploration and mining activities will cause no adverse legal, health, environmental and property impacts.

These *Three Modest Proposals* offer a positive step towards balance, by changing provincial legislation and procedures that allow mining firms to claim and to take publicly owned minerals and to engage in mining activities in ways that put the environment, the legal rights, the properties, the investments, and the health of Ontario's citizens at risk.

The three modest proposals are completely in line with the duty of governments:

- to protect the rights and interests of all citizens;
- to manage the resource wealth of the Province in a way that balances the rights and interests of all;
- to protect the ecological systems upon which all citizens depend; and
- to protect the health of all citizens throughout the province.