

March 6, 2002

Land Use Policy and Planning Coordinator
Resident Geologist Program
Ministry of Northern Development and Mines
933 Ramsey Lake Road, suite B6
Sudbury, Ontario
P3E 6B5

Dear Madam or Sir:

Re: Mineral Resource Assessment Manual - Environmental Registry No. PD02E1001

Although your Ministry did not contact the Ontario Professional Planners Institute as a stakeholder with regard to the above Manual, the Manual appears to be intended to be an important resource for both public and private land and resource planning in Ontario. We therefore wish to submit for your consideration the comments of our Policy Development Committee's Natural Resources Working Group on *Provincially Significant Mineral Potential Mineral Resource Assessment Process*, version 1.1, February 2002.

OPPI is the recognized voice of the province's planning profession, and provides leadership and vision on key policies relating to planning, development, and other important social, economic, and environmental issues. Our 2,400 practising members work for government, private industry, agencies, and academic institutions in a wide variety of fields, including public land and resource planning and environmental assessment.

We do not have the geoscience expertise to provide technical opinions or comments on the Manual. Our prime interest in this document is its relationship with the planning process in which it is intended to play a key role.

Ontario's Living Legacy Land Use Strategy

On public lands, the Manual's role was laid out in the *Ontario's Living Legacy Land Use Strategy*:

"Mineral exploration may occur under controlled conditions in portions of new Provincial Parks that are identified through further analysis and consultation as having provincially-significant mineral potential. If part of a new park is to be developed for a mine, it would be deregulated as a part of the park, and appropriate replacement lands would be placed into regulation.

"Prior to permitting exploration . . . procedures will be developed that will include . . . criteria for designating areas of provincially significant mineral potential . . ." (pp. 20-21).

The same policies apply to conservation reserves recommended by the *Strategy*.

This role is clearly recognized in the Proposal statement posted on the Environmental Registry on February 5, 2002. However, there is absolutely no reference to it in the Manual. Someone picking up the Manual without prior knowledge would have absolutely no awareness that the *OLL Strategy* even exists, except as a document cited for

some unknown reason in the bibliography, let alone that this Manual is intended to serve a key planning purpose under the *Strategy*. If that is simply an editorial omission, it's easily remedied by adding an introduction. We would be much more concerned, however, if that omission is symptomatic of a "silo" approach which could have affected the entire preparation of the Manual. The composition of the committees cited in Appendix 3 does not reassure us on that score (see below).

Provincial Policy Statement

The Proposal statement posted on the Environmental Registry also suggests that the Manual has a purpose on private lands, though this is somewhat unclear. The Proposal statement cites some recommendations of the Lands for Life Round Tables, somewhat out of context and with the implication that these recommendations represent Government policy. Though the Round Table recommendations cited were accepted in principle by the Ministry of Natural Resources, they are not reaffirmed in the *OLL Strategy*, beyond the above-mentioned and other specific policies to minimize the impact of new protected areas on mineral resources.

One of the recommendations cited refers to the Provincial Policy Statement and Crown lands planning. The Proposal statement also suggests that the *OLL Strategy* "reflects . . . direction given by [the PPS]". The PPS is never mentioned in the *Strategy*, and while MNR certainly has regard to the PPS, we believe that the wording of the *Strategy* reflects the longstanding position of MNR that it cannot and will not formally oblige itself to adhere to or take direction from the PPS in the exercise of its jurisdiction on Crown land. It is possible, therefore, that the references to the PPS are actually intended to refer at least in part to planning on private lands.

Wording later in the Proposal statement supports this interpretation, suggesting that a purpose of the Manual is to provide guidance to municipalities, presumably with respect to the interpretation and application of the mineral resources policies in sections 2.2.1 and 2.2.2 of the PPS, and in particular, the identification of "mineral deposits" and "areas of mineral potential". We agree that this would be desirable; however, again, there is absolutely no reference to this in the Manual itself. The Manual never mentions the PPS or planning, whether on Crown or private lands.

What is Significant?

Unless we have missed something in our quick nonscientific review of the Manual, the Manual cannot yet be used to actually determine significance. Approaches are provided to score deposits out of 100, but what is the numerical threshold above which lands would be considered to have "provincially significant mineral potential" (*OLL Strategy*) or be "favourable to the discovery of mineral deposits" (PPS)?

The authors should go on to consider whether the intentions around significance thresholds in the PPS definitions of "mineral deposits" and "areas of mineral potential" are comparable to those in the *OLL Strategy*, and therefore whether it is even appropriate to use the same methodologies for both Crown land and private land purposes. This consideration should not only look at what the words used in the two documents mean from a geoscience and mining industry viewpoint. It should also reflect that the policies in the two documents are quite different.

The PPS is seeking to set a threshold above which competing development should not be permitted to prevent the future use of mineral resources; those competing uses (housing or industry, for example) generally can go elsewhere with only an economic cost. The *OLL Strategy* is seeking to set a threshold above which mineral resource development should be allowed to take away from protected areas; assuming the protected areas have been properly identified, there will be an irreplaceable ecological loss by going to second-choice protected areas. It can be argued that the policy intent of the Province's decision-makers, as well as good planning principles, would dictate that a higher threshold of significance should be applied to the *OLL Strategy* policies.

Mineral Aggregates

Finally, we were extremely surprised to find considerable material in this Manual dealing with mineral aggregates, especially as this is a mineral resource sector for which there are long-established, well-accepted approaches to determining resource significance (the Manual itself acknowledges MNR's Aggregate Resources Inventory Program). We also note that:

- It is clearly not the intent of the *OLL Strategy* that protected areas could be explored in, or altered, for aggregates.
- There is no reference to aggregates in the Proposal statement.
- Nobody from MNR sat on either of the two committees cited in Appendix 3, except for a protected areas geoscientist - in other words, nobody from MNR's aggregates or planning programs.
- To the best of our knowledge, nobody representing the aggregate industry sat on those committees.
- The PPS mineral resources policies also include petroleum resources. As with aggregates, there are well-accepted approaches in place already, but why then address aggregates at length in the Manual but completely ignore petroleum?

* * *

In summary, we would like to see the Manual revised to clearly state its purpose, be made useful as a planning document, and place it in the context of the public and private lands planning systems it is intended to serve. It seems that these deficiencies may be more than just editorial. If the context for the Manual is indeed intended to be broader than the *OLL Strategy*, as suggested by the inclusion of aggregates and the references to the PPS, then a wholesale rethink of the Manual, with additional players at the table, may be in order.

OPPI also asks that as this initiative proceeds, MNDM contact us directly as an important concerned stakeholder. We hope that at the very least, a revised version of the Manual will be posted for comment.

If you would like any further information or clarification regarding our comments, please contact directly Tony Usher, Natural Resources Working Group chair, at (416) 425-5964, fax (416) 425-8892.

Sincerely,

(original signed by)

Loretta Ryan, MCIP, RPP
Manager, Policy & Communications