



FACT SHEET

CLAIMS FIRST, QUESTIONS LATER

How the mining industry threatens
land-use planning in Nunavut

Mineral claims are challenging the long-term stewardship of Nunavut's lands and waters

A mineral claim is a piece of land where a prospector or mining company has **exclusive rights** to search, or "prospect," and later explore, develop and remove valuable minerals from within the claim's boundaries for up to 30 years. This presents a significant challenge to Nunavut's land-use planning because claim staking often occurs in areas that have been identified for protection but have not yet received legal status, leading to disputes over how that land is used.

Until approval of the Recommended Nunavut Land Use Plan (RNLUP), claim staking continues, including within "Limited Use" areas identified for future protection under the plan. In fact, the number of staked mineral claims has increased significantly across the territory since the RNLUP's September 20, 2023 release. While we know claims staked before that date will be honoured, it is unclear how the approved Nunavut Land Use Plan (NLUP) will handle those staked after.

This continued push to stake more mining claims risks eroding years of consultation on the Nunavut Land Use Plan and could lead to unwanted mineral exploration, development and production in areas identified by Inuit community organizations as Limited Use. This makes mineral claims one of the biggest barriers to nature conservation and long-term stewardship of Nunavut's lands and waters.

Did you know?

A mining project doesn't have to "break ground" to have significant ecological and social impacts. In fact, these impacts can start as soon as a prospector or company stakes a mineral claim. Once staked, a mineral claim in Nunavut is very hard to remove. As there is currently no requirement to consult with potentially impacted communities before staking, the current Nunavut Mining Regulations privilege mining industry interests over the land-use priorities of Inuit communities across the territory.

How the mining industry threatens land-use planning in Nunavut



How are claims staked?

Staking a claim in Nunavut requires a licence to prospect. The federal government's Mining Recorder's Office will issue a licence to any applicant who has paid the applicable fee and is at least 18 years old or a legally registered company.

Claim staking used to require the prospector to physically travel to the area of interest and drive stakes in the ground to mark the mineral claim area. But in 2020, Nunavut replaced this in-person model with an electronic registry called the Nunavut Map Selection. **This tool lets anyone in the world with a prospector licence and a computer log in, pay a small fee of \$45 per grid unit on the online map, and "claim" their area of interest.**

What happens after a claim is staked?

Claim staking initiates a process called the "mining sequence," a series of steps prospectors must follow to develop and operate a mine: exploration, development, operations, closure. It takes several years, sometimes decades, to go from identifying an area of interest to operating a mine. While not every mineral claim becomes an operating mine, the explicit goal of prospectors and companies is to advance claims through this sequence.

Current mining regulations allow a claim holder's exclusive rights to be in place for decades, "locking in" land use for the area the entire time.

Mining claims allow a holder to prospect for minerals in the area and conduct exploration activities, which require additional permits and permissions. If the claim holder wants to conduct more advanced exploration activities or keep their claim beyond the 30-year limit, they must turn the mineral claim into a **mining lease**, issued by the federal government. A mining lease lets the claim holder continue prospecting and/or move to develop a mine, but only after conducting mineral exploration work on the claimed area. Mining leases are issued for a minimum of 21 years, and can be extended.

How to protect against the impacts of claim staking

Some land cannot be staked:

Land can be withdrawn from prospecting for several reasons (e.g., protected areas, cemeteries, municipal lands, etc.). This requires an order by the Governor General in Council on recommendation of the Federal Minister. Withdrawn land cannot be used for prospecting nor the granting of mining leases. Other land that cannot be staked includes lands already covered by mineral claims and subsurface Inuit Owned Land (IOL).

The Nunavut Land Use Plan:

Communities across Nunavut have spent years advocating for the protection of lands and waters, resulting in the identification of Limited Use Areas in the RNLUP. Once the RNLUP is approved, mining activities, including claim staking, will be banned from identified Limited Use Areas.

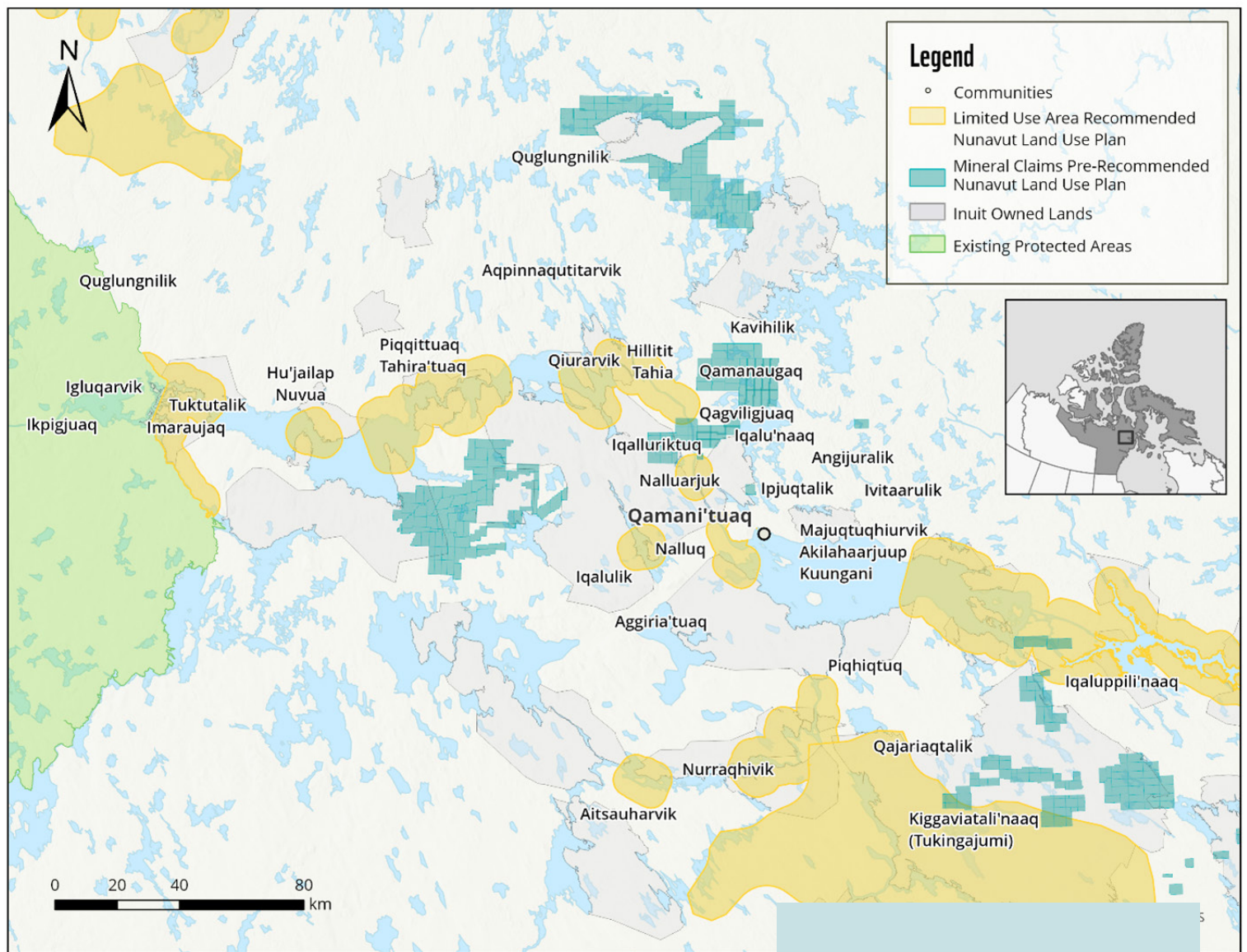


Figure 1: Mineral claims staked prior to the 2023 release date of the RNLUP

Example: Qamani'tuaq (Baker Lake)

Here's just one area in Nunavut where mining claims are increasingly being staked in areas designated Limited Use under the RNLUP.

The first map (p. 3) shows mineral claims staked before the 2023 RNLUP release date. The second map (p. 4) shows how many mining claims have since been staked, including many in Limited Use Areas—designated areas like caribou calving grounds, which are off-limits to mining activities under the RNLUP. These claims — and the potential for more — are a significant threat to the lands and waters that the RNLUP was developed to protect.

Key terms

Active mineral claims:

To keep a claim active so work can continue, prospectors or companies must submit a report of work every year to the Mining Recorder's Office. The report documents the required costs of work done on the claim, which vary depending on how long the claim's been held.

Nunavut Mining Regulations:

Until April 2027, mining in Nunavut is governed by this federal regulation. Afterward, control over Crown land, natural resources and related legislation will transfer to the Government of Nunavut through the Devolution Agreement. Nunavut will then create and enforce its own mining laws.

Continued on p. 4

