

ORDER

SECTION 35, THE MINING ACT, R.S.O. 1990

ORDER NO. W-TB-100/20

WHEREAS pursuant to subsection 35(1) of the *Mining Act*, the Minister may, by order signed by him or her, withdraw from prospecting, mining claim registration, sale and lease any lands, mining rights or surface rights that are the property of the Crown, and the lands, mining rights or surface rights shall remain withdrawn until reopened by the Minister;

AND WHEREAS the Minister's authority to make an order under subsection 35(1) of the *Mining Act* has been delegated to staff of the Ministry of Energy, Northern Development and Mines, including to the Assistant Deputy Minister, Mines and Minerals Division;

AND WHEREAS Biigtigong Nishnaabeg has asserted an Aboriginal title claim in respect of territory including, without limitation, the areas described below;

AND WHEREAS, although this withdrawal order will continue unless and until it is revoked by an order made pursuant to subsection 35(4) of the *Mining Act*, the ministry intends to review the withdrawal within three years of the date of this Order to ascertain whether it is appropriate to maintain the withdrawal in light of the status of efforts by Ontario, Canada and Biigtigong First Nation to resolve the Aboriginal title claim;

**I HEREBY ORDER:**

Pursuant to subsection 35(1) of the *Mining Act*, that the SURFACE AND MINING RIGHTS of the areas outlined in red on the map attached as Schedule "A", situated in the Township of Davies, the Boomerang Lake, Citellus Lake and Kagiano River Areas, Thunder Bay Mining Division, containing 1,577.30 hectares more or less, be WITHDRAWN from prospecting, mining claim registration, sale and lease.

This order does not affect pre-existing mining rights and tenure such as mining claims, mining leases or licenses of occupation, located in the areas outlined in red on Schedule "A", provided however that should any of those mining rights and tenure revert to the Crown by forfeiture, expiry, termination or otherwise, they shall, upon the reversion, be withdrawn as part of this Order.

Date:2020-12-16

Time: 8:26am



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Susan Capling, Assistant Deputy Minister  
Mines and Minerals Division

Copies:

Senior Manager, Mining Lands Section, ENDM

Provincial Mining Recorder, ENDM

Provincial Lands Specialist – CLR

Director, Indigenous Consultation and Partnerships Branch, ENDM

Schedule "A"

