

## Notice to Tenure Holders: Ehattesaht Hay-na Mining Deferral Area Order and Lax K'naga Sts'ool Deferral Area Order

### Overview

Effective March 7, 2024, orders made under the *Environment and Land Use Act* have established a five-year moratorium on certain mining activities within the Ehattesaht Hay-na Mining Deferral Area and the Lax K'naga Sts'ool Mining Deferral Area, as well as an indefinite pause on the registration of new mineral and placer claims in those areas. This notice outlines the key elements of the orders and their implications for mineral tenure holders.

### Mining Deferral Area

The orders establish the Ehattesaht Hay-na Mining Deferral Area and Lax K'naga Sts'ool Deferral Area, outlining the areas subjected to restrictions. The specific land description is detailed in Schedule B of the respective order.

### Restrictions and Provisions:

- **Mining Activities:** Within the designated deferral area, all mining activities, including handwork, are now prohibited for 5 years. [Information Update 38](#) does not apply to the deferral area. Exceptions are permitted for activities related to the reclamation, monitoring, protection, management, or treatment of previously mined sites.
- **Sand and Gravel Operations:** The restrictions do not apply to those regional sand and gravel operations within the deferral area.
- **Issuance of Leases:** The Chief Gold Commissioner is restricted from issuing new mining leases within the deferral area during the deferral period.
- **Prohibition on Issuance of Mines Act Permits:** Officials are temporarily prohibited from issuing or amending permits under the *Mines Act* for work within the deferral area during the deferral period. Exemptions are permitted for work relating to reclamation.
- **New Claim Registration:** A person may not register a mineral claim or placer claim within the deferral area.
- **Lease Extensions:** A previously issued lease may not be extended for more than 6 months after the end of the deferral period.

### Maintenance of Claims and Leases:

- **Request an Extension:** Requirements to undertake exploration and development work to maintain claims are suspended while mining activity restrictions are in effect. To extend the expiry date of a claim, claim holders are required to submit a renewal notice to the Chief Gold Commissioner at least 7 and no more than 30 days before its expiry date. Claims must be renewed annually. At the last day of the deferral period, if the expiry date of a claim falls after the deferral period then the claim's expiry date will be extended to one year after the end of the deferral period. Be aware that if a claim within the deferral area expires, it cannot be re-registered.
- **Rental Fees:** rental fees for leases are suspended while the restrictions are in effect.

The Province, the Ehattesaht First Nation, and the Gitxaala Nation are committed to meeting with tenure and permit holders to find pathways forward on specific amendments to this order. It is recommended that tenure holders and permit holders engage with the Ehattesaht First Nation and the Gitxaala Nation with a view to reaching agreement on specific activities within the Deferral Area.

It is incumbent on the tenure or permit holder to fully understand the impacts of the orders. A list of Question and Answers for tenure holders can be found [here](#).

For additional information please contact [mta@gov.bc.ca](mailto:mta@gov.bc.ca).