

June 15, 2012 – Report to Council on Confidential Briefing on the Algonquin Land Claim and Upcoming Municipal Consultations

On May 8, 2012, I attended an evening meeting at the Best Western in Pembroke as a representative of Head, Clara and Maria Township to learn about the progress of The Algonquin Land Claim negotiations that will affect our region. I have little background or experience with First Nations land claims issues and I was grateful for the opportunity to listen to the discussions. Any information in this report does not breach confidentiality and is gleaned from written documentation received at the meeting and can be shared. Media outlets have received the same information and briefing as municipalities.

Welcome and Introductions of representatives by Norm Lemke, Co-Chair of the Municipal Advisory Committee included: Ontario's Chief Negotiator, Brian Crane; Principal Negotiator for Algonquins of Ontario, Bob Potts; and Chief Federal Negotiator for Canada, Ron Doering.

Status of the Negotiations: These were outlined by each of the representatives. In general, this is a longstanding land claim whose objectives were first agreed to in writing in August 1994 and can be found on page 2 of this report. I have also included an Algonquin Land Claim Fact Sheet that outlines some background and history from the Ontario government's perspective.

We were informed that negotiations are making significant progress in the development of a draft Agreement in Principle (AIP) and should be reached before the end of the year. The draft AIP will then be available to the public, ratified in turn by the Algonquin membership, provincial and federal governments. This will be followed by further negotiations leading to a Final Agreement with the Algonquins. I was left with the impression that we are still a long way from the land transition.

Questions and Answers: Questions from municipal leaders were mainly centred around "the when, where and what will it cost us" implications of land claim settlement.

The timeline for transition is uncertain but most definitely far into the future.

We were assured that land transition would be "fee simple", the most common form of real estate title giving absolute ownership and subject to the usual government rights such as taxation. The implication of fee simple transactions is that municipalities would be in a position to collect taxes from the new property owners. Some municipalities expressed doubts.

Overview and Next Steps in the Process for identified potential Land Selections:

The Ontario Team Negotiators, Sydne Conover Taggart and Heather Robertson outlined potential land transition scenarios. Land selections will take place after the final agreement is ratified by all parties. Each municipality will be consulted as to the interest in the crown lands within their jurisdiction and further negotiations will take place.

Municipal leaders present had many questions concerning MNR leaseholders, crown lands abutting private lands and access to those lands. Assurances were given that the Algonquins wished to protect the rights of private landowners and their rights to access and use of their lands.

Again, I wish to suggest that these steps are far into our townships' future.

I had the distinct pleasure of meeting Chief Doreen Davis, an Algonquin Negotiation Representative (ANR) from Sharbot Lake. She is an original signatory of the 1994 agreement and has wealth of knowledge and understanding of issues as it relates to her band and neighbours. During our discussion I felt that she and her fellow negotiators desired a fair and just settlement for all.

Identified Shared (Algonquins, Ontario and Canada) Objectives guiding Algonquin Land Claims negotiations are as follows:

We are committed to achieving a just and equitable settlement of the longstanding claim of the Algonquins of Golden Lake First Nations, and in doing so, we intend:

- To avoid creating injustices for anyone in the settlement of the claim;
- To establish certainty and finality with respect to title, rights and interests in the land and natural resources with the intention of promoting stability within the area and increasing investor confidence;
- To identify and protect Algonquin rights;
- To protect the rights of private landowners, including their rights of access to and use of their land;
- To enhance the economic opportunities of the Algonquins with the intention of also benefitting and promoting general economic and commercial opportunities in the area;
- To ensure that Algonquin Park remains a park for the appropriate use and enjoyment of all peoples;
- To establish effective and appropriate methods and mechanisms for managing the lands and natural resources affected by the settlement, consistent with the principles of environmental sustainability;
- To continue to consult with interested parties throughout the negotiation process and to keep the public informed on the progress of negotiations.

August 1994

Debbi Grills
June 5, 2012

Algonquin Land Claim Fact Sheet

The goal of the Algonquin land claim negotiations is to reach Ontario's first modern-day treaty, which will:

- provide certainty regarding the long-standing questions about Algonquin Aboriginal rights related to land and natural resources in eastern Ontario,
- support economic opportunity in the region, and
- support local relationships through pragmatic win-win solutions.

About the land claim negotiations:

- The Algonquin land claim against Canada and Ontario is based on the Algonquins of Ontario's (AOO's) assertion that they never entered into a treaty with the Crown and that they have unsurrendered Aboriginal rights and title to 36,000 sq. kilometres of eastern Ontario.
- Negotiations between Canada, Ontario and the AOO over the past 20 years have helped maintain a non-confrontational environment which has helped avoid impediments to ongoing business and development opportunities in the region.
- The long developmental period leading into the substantive negotiations has allowed all parties to build capacity and strengthen their ability to develop an effective resolution to the claim.
- Negotiations are approaching a major milestone - the three parties are close to achieving a draft Agreement-in-Principle which will form the basis for negotiation of a Final Agreement to settle the claim.
- The final land claim settlement will:
 - involve the transfer of specific Crown lands to the Algonquins of Ontario
 - provide certainty regarding Algonquin rights related to land and natural resources, and
 - provide significant capital to the Algonquins which is expected to result in local investment and a positive impact on the regional economy.
- No new reserves will be created, Algonquin Park will be preserved for the use of everyone, and land will not be expropriated from private owners as a result of the settlement.

Ontario's role in the negotiations:

- While issues relating to treaties and Aboriginal rights are generally federal responsibilities, Ontario is involved because it is responsible for the management of Crown land and natural resources.
- Questions about future access to Crown lands and the responsible management of natural resources in the region are of great interest to a wide variety of stakeholders and the general public, especially matters related to harvesting (hunting and fishing), renewable energy and other natural resource uses, forestry, continued access to Crown lands, parks and protected areas, and future relationships with the municipal sector and other non-Algonquin interests in the region.
- Ontario has been engaged in consultations with interested parties since the very beginnings of these negotiations. Two provincial advisory committees were established in 1996:
 - The Municipal Advisory Committee includes representatives from upper, lower and single tier municipalities in and immediately adjacent to the claim area.
 - The Committee of External Advisors includes representatives of local, regional and provincial stakeholder groups with a wide variety of interests in Crown lands and natural resources.

The benefits of settling the Algonquin land claim:

Settling the Algonquin Land Claim would be good news for Eastern Ontario because it will:

- resolve a long-standing Aboriginal issue in Ontario
- end the uncertainty that has existed in the region for more than 20 years
- provide the Algonquins of Ontario with new capital that can generate investment and jobs in the eastern Ontario region.

More About:

Ontario's Committee of External Advisors

This committee represents a broad range of interests in Crown land and resources, including commercial interests such as forestry, mineral extraction and the tourism sector, as well as recreational interests such as hunting, hiking, fishing, snowmobiling etc. The role of the committee is to provide the province with advice on specific issues on lands and resource issues arising in the negotiations.

Ontario's Municipal Advisory Committee members

This committee represents local, county and district governments across and adjacent to the land claim area. The committee consists of the heads of council, or their designates, for each of the member municipalities. It provides advice to the Ontario negotiation team regarding the municipal implications of the potential transfer of Crown lands to Algonquin ownership and the nature of future relationships facing the Algonquins and local municipal governments.