

| Type of Decision | | | | | | | | | |
|--|--------------------------------|-------------------------|--|-----------|------------------------|---------------------------------|-------------|----------|---------------|
| Meeting Date | Friday, January 9, 2015 | | | | Report Date | Wednesday, January-07-15 | | | |
| Decision Required | X | Yes | | No | Priority | | High | X | Low |
| Direction | | Information Only | | X | Type of Meeting | X | Open | | Closed |
| <p>Algonquins of Ontario Land Claim - Report #09/01/15/1204</p> | | | | | | | | | |

Subject:

Update on the status of the Ontario Land Claim from Brian Crane the Ontario Chief Negotiator.

RECOMMENDATION:

That this be received as information.

BACKGROUND/EXECUTIVE SUMMARY:

Attached.

Options/Discussion:

Financial Considerations/Budget Impact:

Policy Impact:

Others Consulted:

Approved and Recommended by the Clerk

Melinda Reith,
Municipal Clerk



Ministry of Aboriginal Affairs

Ministère des Affaires autochtones

Information Centre
Algonquin Land Claim

Centre d'information
Revendication territoriale



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TO: Municipal CAO/Clerk-Treasurer

DATE: December 4, 2014

SUBJECT: Algonquins of Ontario Land Claim
Orientation Material for Members of Council

As you know, the Ontario negotiation team for the Algonquin land claim has had ongoing contact with staff and elected representatives of local municipalities where the transfer of provincial Crown land to Algonquin ownership is being contemplated as part of the proposed Algonquin land claim settlement. We value the information and advice we have received through these municipal consultations, and we look forward to continuing our work together as the negotiations proceed.

I attach an information package to assist you in the orientation of newly-elected municipal councils. This package provides information about the negotiations, the representative structure of the Algonquins of Ontario, the settlement proposals in the Preliminary Draft Agreement-in-Principle, and how we expect future municipal consultations to proceed.

As noted in our discussions with municipalities, no land transfers will occur until after a Final Agreement is negotiated, ratified and in effect. This will take a number of years after the Agreement-in-Principle is in place. During that time, the Ontario negotiation team expects to be engaged in ongoing consultation with individual municipal governments to discuss planning, zoning and other matters regarding the transition of proposed Algonquin settlement lands into municipal jurisdiction. We anticipate these discussions to begin in the next calendar year.

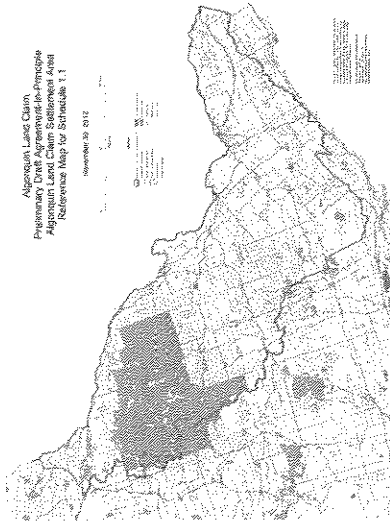
On behalf of Ontario's negotiating team we look forward to continuing to work closely with municipalities in the months and years ahead. Please do not hesitate to contact me or the Ontario Information Centre for the Algonquin Land Claim should you have any questions or if we can provide any further assistance.

Brian Crane
Ontario Chief Negotiator

Enclosure

cc Norm Lemke, Co-Chair, Municipal Advisory Committee; Chair, Municipal Focus Group
Municipal Focus Group

The Landscape



- Boundaries of the claim are based on the watersheds historically used and occupied by the Algonquin people
- Covers a territory of 36,000 square kilometres



Algonquins of Ontario Land Claim Negotiations

Municipal Council Orientation Package

December 2014



The Landscape

- Algonquins of Ontario (AOO)
 - One First Nation Reserve – Pikwākanagān (Golden Lake)
 - Nine off-reserve communities
 - Status and non-status membership
- About 8,000 – 10,000 projected eligible AOO voters
- Non-Aboriginal population about 1.2 million
- Crown Lands extensively used by the public for recreation, fishing and hunting



Background

- The Algonquins of Ontario assert that they have Aboriginal rights and title that have never been extinguished, and have continuing ownership to the Ontario portions of the Ottawa and Mattawa River watersheds and their natural resources.
- The governments of Ontario and Canada agreed to enter negotiations with the Algonquins in 1991 and 1992 respectively.
 - Canada is primarily responsible for treaty making
 - Ontario is primarily responsible for land and natural resources
- If successful, the negotiations will produce the province's first modern-day constitutionally protected treaty.



Preliminary Draft Agreement-in-Principle (PDAIP)

A proposed settlement is described in the PDAIP (publicly released in December 2012) including:

- transfer of 117,500 acres of Ontario Crown lands to Algonquin ownership (more than 200 parcels ranging from less than an acre to 32,000 acres)
- no land selections in Algonquin Park
- no expropriation of private lands
- \$300 million settlement capital provided by Canada and Ontario
- defined Algonquin harvesting rights related to lands and natural resources (eg. fishing, hunting, trapping)
- Algonquin-owned land will be subject to municipal jurisdiction and Ontario law once transferred
- no new Indian reserves
- Algonquins will pay normal property taxes on all but three identified parcels where service agreements are to be negotiated with municipal governments

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Ontario

Algonquins of Ontario - Milestones

- 2005: Formation of 16-member Algonquin Negotiation Team
- 2009: Canada/Ontario/Algonquin Consultation Agreement
- 2010: Establishment of Algonquin Consultation Office in Pembroke
- 2011: Interim Consultation Agreement with Ontario Ministry of Northern Development and Mines on mineral exploration and development
- 2011: Establishment of trilateral Ratification Committee and beginning of process to enrol qualified Algonquin ratification voters
- Ongoing:
 - Development of Algonquin governance and management structures
 - Economic and cultural partnerships (eg. City of Ottawa, resource developers)

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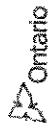


Ontario

Municipal Involvement

- Municipal Advisory Committee (MAC) has, since 1996, been briefed by and provided input to the province from an eastern Ontario municipal perspective
- Municipal Focus Group (Upper Tier Municipal CAO's) established in 2010 to advise Ontario team
- Ongoing consultations with municipal governments and the public on proposed land selections since 2012
- Formal municipal approval of Algonquin land selections not required
- Ongoing consultation with individual municipal governments to discuss planning, zoning and other aspects of proposed Algonquin settlement lands proceeding in 2015

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Ontario

Negotiation Process

- 2006 - 2012: Intensive negotiations resulting in a Preliminary Draft Agreement-in-Principle that addresses:
 - overall amount of land and money required for settlement
 - a defined Algonquin settlement area boundary
 - a formalized land selection process sensitive to high levels of public use and legal interests on Crown lands
 - clarification of Algonquin harvesting rights based on principles of conservation
 - settlement elements linked to long-term regional economic benefits
 - commitments to ongoing public and stakeholder consultation
 - application of tax rules and land use planning regime once lands are transferred

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Ontario

Municipal Focus Group

- Membership includes upper tier CAOs from the land claim territory
- Produced principle-level advice paper for Ontario's Chief Negotiator following a series of policy discussions in 2010
- In 2013 produced comments and questions on the Preliminary Draft AIP addressing matters such as jurisdiction, land use planning and property taxation
- Role is ongoing, meeting with the Ontario team as required to advise on negotiation matters and municipal consultation

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Anticipated Next Steps

- Algonquin Ratification Vote on Proposed Agreement-in-Principle (AIP) anticipated in 2015-16
- Approval of AIP by Governments of Ontario and Canada
- Ongoing negotiations after AIP toward a Final Agreement, to include:
 - Ongoing Municipal, Stakeholder and Public Consultation
 - Municipal consultation re Official Plan and zoning designations for Algonquin lands
 - Ongoing review and refinement of proposed land selections based on consultation
 - Parks Planning
 - Fisheries Management Planning
 - Transition Arrangements With Hunt Camp Owners and other Legal Interest Holders
 - Environmental Assessment of Land Selections and Projects under Declaration Order
 - Legal Review of the Draft Final Agreement
- Approval of Final Agreement
 - Algonquin Vote and then Approval by Ontario Legislature and by Parliament
 - End result: A modern-day treaty

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