



MISSISSAUGA FIRST NATION'S LAND MANAGEMENT WITH ATR

Background



- Mississauga First Nation was provided a presentation on the Framework Agreement on First Nation Land Management and submitted a request in 1999 to be included in the process.
- The current Reserve (Occupied Land Base) had no CP's due to the position of INAC Ontario Region Office that Surrender 103 (whole reserve) in 1865 was valid and only consisted of 0.61 acres.
- In anticipation of the imminent Addition of the 40,000 acres to Reserve, we wanted to be in control of the management of the lands.

Mississauga First Nation Land Code

- MFN signed the adhesion to Framework Agreement on First Nation Land Management in 2003 and passed our Land Code in 2009
- Land Code includes a clause for Adding Lands once these conditions are met:
 - *Any land or interest acquired by Mississauga First Nation after this Land Code takes effect, whether by land claim, purchase or other process, when an environmental audit declares it free of environmental hazard and safe for community use, and*
 - *Must meet the requirements of the ATR process*

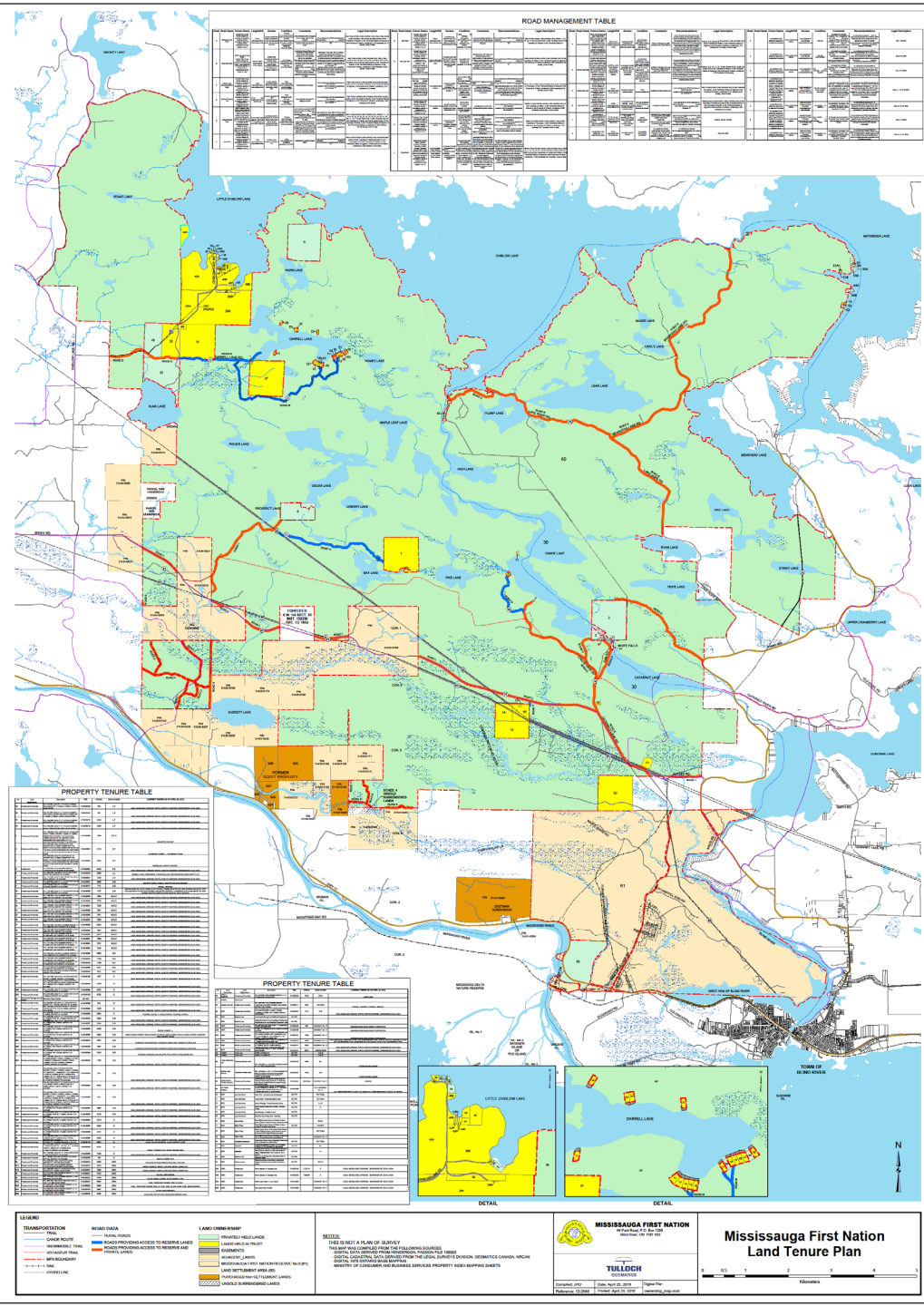
Mississauga First Nation Land Claims

- **1994 Northern Boundary Settlement Agreement** – 40,000 acres of crown land and \$12.5 million plus the requirement to purchase 55 private lands that were identified as must buy.
- **1996 Trunk Road Highway Settlement Agreement** – Between Canada and MFN for not getting compensation from Ontario for the taking of portions of Highway
- **1999 ILA/HWY Negotiations** – As a result of TRHSA Ontario wants clear title highways and Canada wants to clarify Surrender 103 of entire Reserve in 1865
- **Flooded Lands of the Penewabekong (Blind River) Negotiations** – 643 acres of land flooded by a dam built in 1851

Northern Boundary Settlement Agreement

- 40,000 acres of crown land
- 55 Must Buy properties
- All revenues, rent, royalties from 2 small Hydro Electric Generating stations
- 16 Road Right of Ways in favor of Ontario, 2 public, 14 private
- Easement for Ontario Hydro for 115 Kva and 230 Kva Transmission Lines
- Easement for Centra Gas for 12 inch natural gas pipeline

Trunk Road - Highway 17 Claim



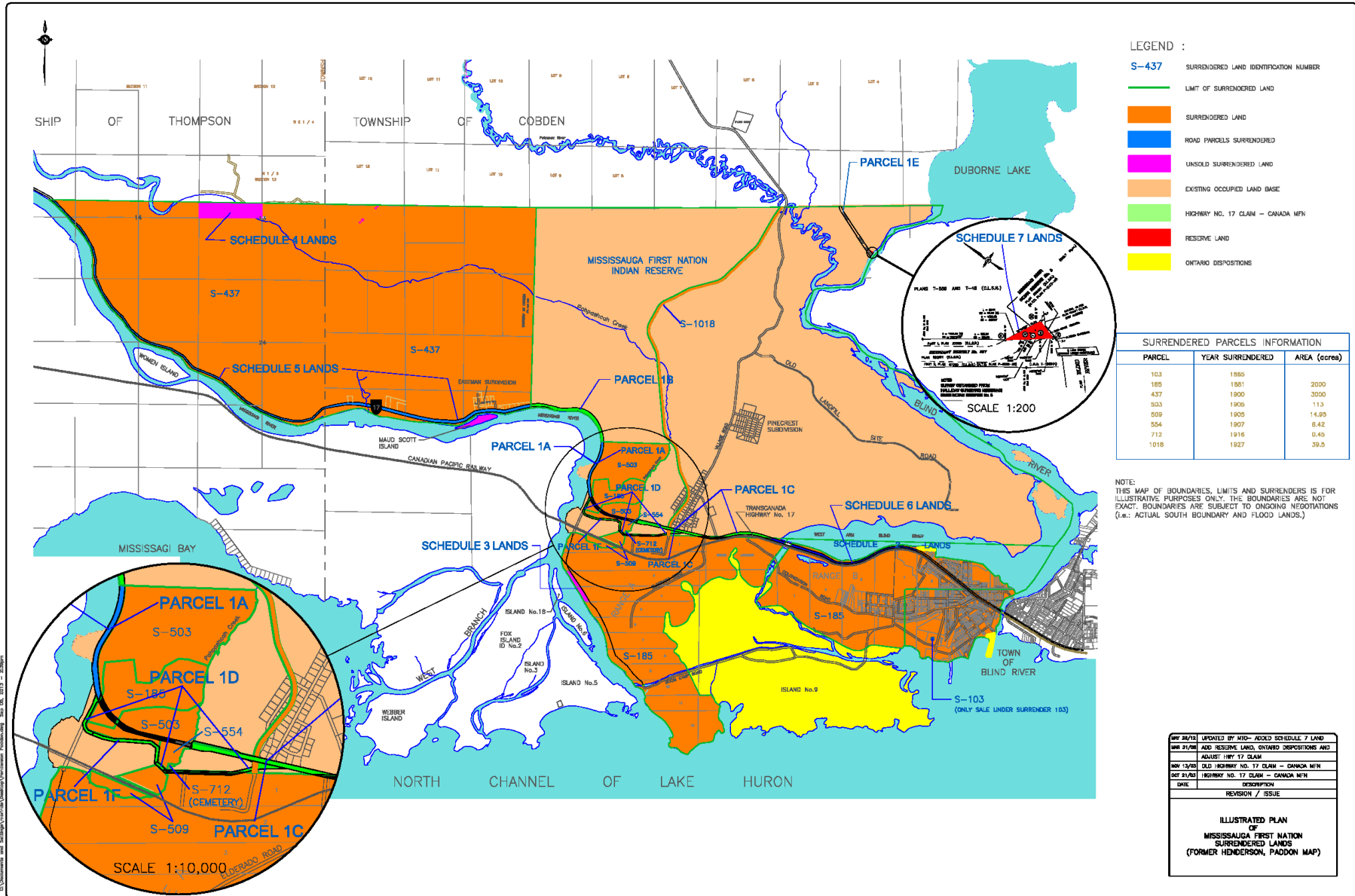
Trunk Road - Highway 17 Claim

- Canada provided \$250,000 for not collecting any compensation from Ontario for the taking of lands for portions of the Highway.
- Canada committed to having the highway lands surveyed as built and granting Ontario proper legal title.
- This led to the Indian Lands Agreement/Highway Negotiations.

ILA Highway Negotiations

- Started in 1999 and was supposed to be a quick Administrative fix for Surrender 103 and Highway lands.
- The First Nation is of the position that Surrender 103 is invalid but had to put it aside for the quick fix.
- Includes compensation for the 5% road allowance in all patents in Surrender 437 and the return of a 33 acre parcel that was unsold.
- The return of lands no longer required for road purposes.

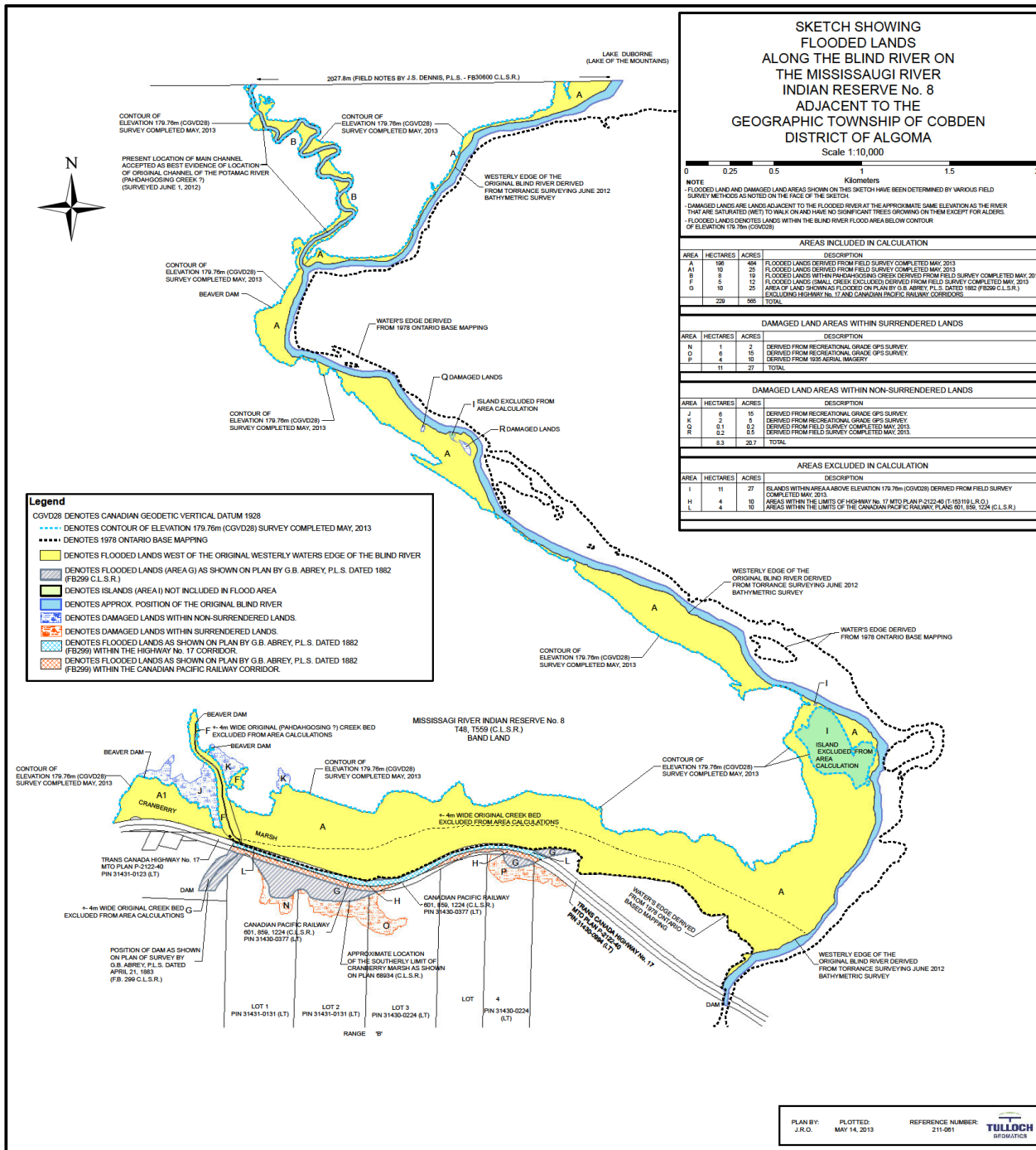
Hwy 17 and ILA Negotiations



Flooded Lands Negotiations

- Canada accepted the claim for the Flooded Lands in 2012 under the Specific Claims Act.
- Canada (Specific Claims Branch) was of the position that Surrender 103 was valid but a 200 acre sale in 1869 was invalid.
- In 1889 a plan was drawn showing the extent of the flooding that contained 643 acres.
- In 2012 a plan was produced using the 1889 plan, bathymetric survey of the original shoreline and a contour of the highest point of the dam stop logs. The end result was 656 acres.

Flooded Lands Negotiations



MFN Land Management

- 1999 Ontario passes Order in Council to transfer Lands to Canada
- 2001 Canada accepts the Lands and grants FERPA Easements to Hydro One and Union Gas
- 2003 Signed Adhesion to Framework Agreement on First Nation Land Management and in 2009 we had a successful Vote approving our Land Code for 0 .16 acres of Reserve Land.
- March 25, 2010 the 40,000 acres were granted Reserve Status
- June 21, 2010 the Lands and Road Right of Ways were added to the Individual Agreement via Northern Boundary Lands Act issued under our Land Code
- Canada excluded the FERPIA Easements for Hydro One and Centra Gas

MFN Land Management

- September 20, 2012 Community Vote approved the Matrimonial Real Property Law and Union Gas Easement Agreement replacing their FERPIA Agreement with Canada
- Registered the 16 Road Right of Ways from NBSA and provide notice that 5 will be cancelled
- 2014 Canada and Ontario made it a requirement that we have final agreements under our Land Code with third parties in the ILA/Hwy Negotiations
- 2016 Final Drafts of Land Code Easements with Hydro One, Bell Canada and Eastlink
- 2016 Signed Agreement with EC for water gauging station that is not under Land Code or Indian Act

MFN Land Management

- 2016 Ontario would prefer a Flooding Permit under the MFN Land Code. So we are currently drafting a permit as there is a flood zone on the 0.61 acres that is under our Land Code.
- 2018 Ontario now prefers to exchange lands for some of the Flooded Lands under the Land Code.
- 2019 Canada and Ontario finally agree to our amended Land Code right of way that includes parts of the road that are in the private properties purchased. We had included a portion of the road in our draft land code and at that time was the resolution for future access.
- In December 2019 we had a community vote and passed 3 Hydro Permits 2 transmission one distribution and a permit for Enbridge Gas that included the addition of the line that crossed 2 of the properties we had purchased that will be added to reserve since our BCR request in 2001.

Miigwetch Questions?

James Cada Director
Lands Advisory Board

For more information, please
visit www.labrc.com

