

ANISHINAABEG OF NAONGASHIING FIRST NATION INDIVIDUAL AGREEMENT

SUMMARY

ANISHINAABEG OF NAONGASHIING FIRST NATION is one of First Nations in Canada who is party to a *Framework Agreement on First Nation Land Management*. The federal government is also a party to the agreement and ratified it through the *First Nation Lands Management Act* on June 17, 1999.

The Agreement and legislation enable these First Nations to take over management and administration of their reserve lands from the Department of Indian Affairs. In order to do this each First Nation must enter into an Individual Agreement with the Department of Indian Affairs. This Individual Agreement sets out the specifics of the transfer of management of reserve lands from Canada to ANISHINAABEG OF NAONGASHIING FIRST NATION.

The Individual Agreement for ANISHINAABEG OF NAONGASHIING FIRST NATION is summarized as follows:

Section 1- Interpretation

This section defines the terms that are used in the Agreement, including identifying the reserve lands that will be transferred.

Description of ANISHINAABEG OF NAONGASHIING FIRST NATION Land.

This section identifies the land that is subject to this agreement:

Saug-a-gaw-sing Indian Reserve No. 1 as shown on the CLSR plan # FB38329
Big Island Mainland Indian Reserve No. 93 as shown on the CLSR plan # FB38330

For greater certainty, Anishinaabeg of Naongashiing First Nation may consider adding the following reserves to the Individual Agreement upon the approval by the First Nation of a completed Land Description Report:

Big Island Indian Reserve No. 31D
Big Island Indian Reserve No. 31E
Big Island Indian Reserve No. 31F
Lake of the Woods Indian Reserve no. 31B
Lake of the Woods Indian Reserve No. 31C
Lake of the Woods Indian Reserve No. 31G
Naongashiing Indian Reserve No. 31A
Sugar Point Indian Reserve No. 31H
Shoal Lake Indian Reserve No. 31J

Section 2- Information Provided by Canada

This section confirms that Canada has provided THE ANISHINAABEG OF NAONGASHIING FIRST NATION with all the information in its possession regarding dispositions of reserve lands, environmental issues on reserve lands and any similar information. Land interests and dispositions are set out in “Annex C”.

The information collected during the Phase I Environmental Site Assessment (ESA) that was conducted in 2009 is summarized in “Annex D”. The environmental problems were identified in this report and an action plan for Phase II Environmental Site Assessment is also included. (Please identify the potential areas identified in the Phase I ESA.)

This section also includes any other information in Canada’s possession on moneys payable, including information on any arrears of rent as of the date of transfer as set out in “Annex E”.

Section 3- Transfer of Land Management

This section provides that Canada will transfer the management and control of reserve lands to THE ANISHINAABEG OF NAONGASHIING FIRST NATION on the effective date of the Agreement. THE ANISHINAABEG OF NAONGASHIING FIRST NATION will then begin managing and controlling its lands and natural resources under its Land Code.

Section 4- Transfer of Rights

This section transfers all of Canada’s rights, obligations, powers and authorities in or under all previous interests or licenses affecting reserve lands to THE ANISHINAABEG OF NAONGASHIING FIRST NATION.

Section 5- Operational Funding

This section obligates Canada to provide THE ANISHINAABEG OF NAONGASHIING FIRST NATION with funding and resources for managing reserve lands. The amount of funding is set out in “Annex A”. The amount of funding is determined by an interim funding formula that would give THE ANISHINAABEG OF NAONGASHIING FIRST NATION \$85,051.00 for the first fiscal year. The funding formula is being reviewed and funding may be negotiated on a five-year basis in the future.

Section 6- Transfer of Revenues

This section obligates Canada to transfer to THE ANISHINAABEG OF NAONGASHIING FIRST NATION any moneys it holds in trust for the use and benefit of THE ANISHINAABEG OF NAONGASHIING FIRST NATION and any revenues it receives from reserve lands. Canada will transfer to THE ANISHINAABEG OF NAONGASHIING FIRST NATION the amount of \$14,122.68 that is currently held in the THE ANISHINAABEG OF NAONGASHIING FIRST NATION Revenue Account. The procedures for the transfer of funds are set out in “Annex B”.

Section 7- Notice to Other Persons

This section requires Canada to notify any non-members who hold an interest in reserve land that management of reserve lands will be transferred to THE ANISHINAABEG OF NAONGASHIING FIRST NATION and that THE

ANISHINAABEG OF NAONGASHIING FIRST NATION will collect the revenues from those interests in the future. This notice must be given within thirty days of ratification of the Land Code.

Section 8- Interim Environmental Assessment Process

This section provides that until THE ANISHINAABEG OF NAONGASHIING FIRST NATION establishes its own environmental assessment process, the *Canadian Environmental Assessment Act* will apply. The procedure for environmental assessments during this period is set out “Annex F”.

Sections 9 and 10

These are standard formalities regarding amendment of the agreement, giving of formal notice and documentation.

Section 11- Dispute Resolution

This section provides that the dispute resolution provisions of the *Framework Agreement on First Nation Land Management* apply to any disputes between Canada and THE ANISHINAABEG OF NAONGASHIING FIRST NATION regarding the Individual Agreement.

Section 12- Date of Coming into Force

This section provides that the Individual Agreement comes into force at the same time as the Land Code.