



LANDS ADVISORY BOARD



ANNUAL REPORT
2006-2007



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MESSAGE FROM THE CHAIRMAN, CHIEF ROBERT LOUIE

Fiscal year 2006-2007 was another challenging but productive time for the Lands Advisory Board (LAB) and the First Nation signatories to the Framework Agreement. Five communities conducted community votes to ratify the Framework Agreement. The 19 operational First Nations, implementing their laws under the land code, have continued with successful management of their reserve lands and resources. At the same time, 21 other developmental First Nations actively worked toward conducting their own community ratification votes which are anticipated in 2007-2008. The LAB also welcomed three new First Nations as signatories to the Framework Agreement bringing the overall number of First Nation signatories to 51.

The Framework Agreement provides the opportunity for First Nations to assume direct authority, jurisdiction and control over their reserve lands and resources. Once a First Nation ratifies the Framework Agreement and enacts its land code, the community effectively replaces the Minister of Indian and Northern Affairs Canada as the decision-maker in relation to its reserve lands and resources and replaces Parliament as the legislator in respect of those lands and resources.

The Framework Agreement is historic. There is no other initiative in Canada today, short of a self-government agreement or treaty, whereby a First Nation is recognized as a government with full authority to legislate and enforce its own laws over its reserve lands and resources. The primary objective of all First Nations participating in this First Nations Land Management opportunity is to be recognized as decision-makers over their reserve lands and resources without reliance on the Minister or the Government of Canada. The Framework Agreement and community enactment of the First Nation's land code are the means by which this landmark opportunity is brought to fruition.

The Framework Agreement also is historic in at least one other respect. Parliament in 2006-2007 brought new focus on the issue of matrimonial real property on reserve lands. Under the *Indian Act*, there are no rules for the division of reserve land interests on the breakdown of a marriage or on divorce, a fact that has led to much confusion and unfairness since provincial laws do not apply. In 1999, an amendment to the Framework Agreement ensured that First Nations who ratify it would also implement appropriate rules, without discrimination, to deal with matrimonial real property issues. Those First Nations that have done so to date have received positive comment on the rules they have made. Our first Nations are proud to have been trailblazers on this important issue.

The LAB is committed to continuing implementation of the Framework Agreement in accordance with its spirit and its terms and to assisting all First Nations in achieving their goal of jurisdiction and control over their reserve lands and resources. This, to us, is justice that has been much delayed, but no longer denied.

Sincerely,

Chief Robert Louie



EXECUTIVE SUMMARY

The Framework Agreement represents the culmination of years of effort by a national group of dedicated Chiefs to create, for their First Nations, the option to manage reserve lands and resources under their own land codes, free from constraints imposed under the *Indian Act*. The Framework Agreement is a government-to-government agreement signed in February 1996 by the Chiefs of 14 First Nations and Canada. In June 1999, Canada enacted the *First Nations Land Management Act (FNLMA)*, “an Act providing for the ratification and bringing into effect” of the Framework Agreement.

The Chiefs’ pursuit of a sectoral approach to self-government by way of a government-to-government agreement on land management provided Canada with the opportunity to engage actively in a First Nation-led initiative by ratifying the Framework Agreement. First Nation ratification of the Framework Agreement is a community process, developed by the community and monitored by an independent Verifier, culminating in a community vote in which all electors are eligible to participate regardless of residence.

The Framework Agreement also established a Lands Advisory Board (LAB). The composition of the LAB is determined by the Councils of those First Nations which have ratified the Framework Agreement (“operational First Nations”). The LAB is the political body with the mandate to assist First Nations in implementing the Framework Agreement, to represent the First Nation parties in various dealing with the Government of Canada in relation to the Framework Agreement and to recommend amendments to the Framework Agreement to the Minister of Indian Affairs and Northern Development. Included in this mandate are political, technical, legal and financial support to the operational First Nations and to the developmental First Nations preparing to conduct their community ratification vote.

The LAB has established a Finance Committee to assist in fulfilling its Framework Agreement responsibilities. The Finance Committee, which manages the financial and technical aspects of this work has, in turn, created and directs the First Nations Land Management Resource Centre Inc. (RC) as the administrative and corporate arm of the LAB.

Throughout 2006-2007, the LAB and RC continued to provide political, financial and technical support to developmental First Nations preparing to vote on their individual land code. The ratification process under the Framework Agreement consists of 34 distinct and separate activities. In 2006-2007 a total of 26 First Nations were actively preparing for a community ratification vote; 5 of the 26 completed their community vote.

The LAB and RC supported the developmental First Nations with the drafting of their community land code, the design and implementation of their communication strategies and the design of their community voting procedures. The LAB and RC also were requested by the developmental First Nations to provide advice and guidance on the environmental site assessment of their reserve lands, the survey of their reserve jurisdictional boundaries and their Individual Agreement with Canada.

The LAB and RC also provided support throughout 2006-2007 to operational First Nations. Once a land code takes effect, there are 34 land administration sections of the *Indian Act* that no longer apply to these First Nations' reserve lands and resources. The Framework Agreement and their community land codes empower these First Nations to manage their reserve lands and resources, pass land laws and enforce their land laws.

The authority to manage reserve lands includes legislative jurisdiction, management and control of all the interests, rights and resources that belong to those lands and that are under the jurisdiction of Canada. Within the unique constitutional arrangements with respect to lands reserved for the Indians, operational First Nations exercise all the rights, powers and privileges of an owner. The LAB and RC have a mandate under the Framework Agreement to assist operational First Nations with drafting land laws, rules, procedures, agreements, policies, implementing land management systems and capacity building.

The land management successes of the 19 operational First Nations in 2006-2007 include the completion of new residential and agricultural leases, the development and negotiation of an increasing number of commercial leases and the negotiation and signing of major resource development agreements. All of these provide communities with employment opportunities and increased revenues.

The LAB and RC continued to build national partnerships to support land management; for example with the Federation of Canadian Municipalities, the National Aboriginal Land Managers Association, the Indian Taxation Advisory Board, the Center for Indigenous Environmental Resources, and the Municipal Aboriginal Issues Network.

This annual report includes a brief discussion of some of the topics that will be the focus of activities in 2007-2008. These activities are intended to facilitate the implementation of the Framework Agreement and recognize the government-to-government relationship between First Nations and Canada. Special effort will be made in the next fiscal year to conclude a number of important agreements between the operational First Nations and Canada in such areas as environmental management, environmental assessment, operational land management funding and Land Registry regulations.



OFFICER OF THE ORDER OF CANADA

The members of the LAB and the 51 signatory First Nations to the Framework Agreement are pleased to note and recognize the recent appointment of LAB Chairman Robert Louie, Chief of Westbank First Nation, as an Officer of the Order of Canada.

The Governor General, the Right Honourable Michaëlle Jean, in her capacity as Chancellor and Principal Companion of the Order of Canada, appointed Chief Rob Louie, recommended for such appointment by the Advisory Council of the Order of Canada.

The Order of Canada is Canada's highest civilian honour, with membership awarded to those exemplifying the Order's motto "desiring a better country". Created in 1967, the Order was established to recognize the lifetime contributions made by Canadians for outstanding achievement and service to the country or to humanity at large. In our national system of honours, only the Victoria Cross and Cross of Valour take precedence over the Order of Canada. There are three grades (levels) of the Canadian Order: Companion (highest), Officer, and Member, each with respective post-nominal letters that its members are entitled to use.

We take great pleasure in acknowledging this honour to our Chair, denoting his many years of public service and especially his service to the First Nations of Canada. We also take this opportunity to confirm that his contributions to the negotiation, signing, and implementation of the Framework Agreement have been inestimable.

Chief Louie also was presented in 2006-2007 with the Distinguished Alumni Award from Okanagan College.



Chief Robert Louie with Distinguished Alumni Award from Okanagan College.

1. IMPORTANCE OF THE FRAMEWORK AGREEMENT ON FIRST NATION LAND MANAGEMENT

1.1 Fundamental Problems with Land Administration under the *Indian Act*

The *Indian Act* requires the Minister of Indian and Northern Affairs Canada to administer reserve lands and resources on behalf of First Nations. There are four fundamental problems under the *Indian Act*:

- the *Indian Act* does not recognize the right of First Nations to self-govern their reserve lands and resources;
- the *Indian Act* does not protect reserve lands from being surrendered and sold, which presents the danger of further reduction of the limited reserve land base;
- the *Indian Act* does not prevent Canada, provincial governments, municipalities or any corporation with expropriation powers from expropriating reserve lands without the consent of the First Nation (in fact, the *Act* permits such actions); and
- the *Indian Act* does not provide an adequate statutory basis for managing and developing reserve lands in the 21st Century.

The only options available to First Nations prior to 1996 were implementation of self-government agreements or treaties to achieve the recognition of their inherent right to govern their reserve lands and resources (see Exhibit 1). Self-government agreements were not an option for most First Nations and the current round of treaty negotiations in British Columbia had only just begun.

**Exhibit 1:
Options for First Nations Before the Framework Agreement**

Option:	Land Administration by INAC	Regional Land Administration Program (RLAP)	Delegation of s53 & s60 authorities under the Indian Act	Self-Government
Statutory Regime:	<i>Indian Act</i>	<i>Indian Act</i>	<i>Indian Act</i>	Other (e.g., treaty, self-government legislation, etc.)
Distribution of Authority and Responsibility:				

1.2 Framework Agreement Alternative for First Nations

The Framework Agreement represents the culmination of years of effort by a national group of dedicated Chiefs to provide for their First Nations the opportunity to govern their own lands free from the constraints and delays imposed under the *Indian Act*. The management of reserve lands and resources is a crucial component of First Nations' self-government and self-sufficiency.

The Framework Agreement was signed in February 1996 at the Chippewas of Georgina Island First Nation by the Chiefs of 14 First Nations and the Government of Canada. Canada later enacted the *FNLMA*, "an Act providing for the ratification and bringing into effect" of the Framework Agreement. The *FNLMA* received Royal Assent in June of 1999.

Previously, Canada had not succeeded in enacting any sectoral statutory alternative to the *Indian Act*. The Chiefs' approach to the development of a government-to-government agreement on land management provided Canada with the opportunity to engage actively in a First Nation-led initiative. Ultimately, this led to the Framework Agreement as we know it today, as ratified by Canada and as ratified, and continuing to be ratified, by First Nation signatories to it.

Exhibit 2 indicates the importance of the Framework Agreement.

Exhibit 2: Options for First Nations After the Framework Agreement

Option:	Land Administration by INAC	Regional Land Administration Program	Delegation of s53 & s60 authorities under the <i>Indian Act</i>	Framework Agreement	Self-Government
Statutory Regime:	<i>Indian Act</i>	<i>Indian Act</i>	<i>Indian Act</i>	↗ FN Land Code ↗ <i>FNLMA</i>	Other (e.g., treaty, self-government legislation, etc.)
Distribution of Authority and Responsibility:	Minister of Indian Affairs				
	First Nation				

1.3 Framework Agreement Parameters

The Chiefs were careful to limit the scope of the Framework Agreement in order to prevent unintended impacts on other parties, rights and relationships. For example:

Clause 1.3: "This Agreement is not a treaty and shall not be considered to be a treaty within the meaning of section 35 of the Constitution Act, 1982."

Clause 1.4: "The Parties acknowledge that the Crown's special relationship with First Nations continues."

Clause 1.5: "This Agreement does not affect any lands, or any rights in lands, that are not subject to this Agreement."

Clause 1.6: "This Agreement is not intended to define or prejudice inherent rights, or any other rights, of First Nations to control their lands or resources or to preclude other negotiations in respect of those rights."

Clause 55.1: "Nothing in this Agreement prevents a First Nation, at any time, from opting into any other regime providing for community decision-making and community control, if the First Nation is eligible for the other regime and opts into it in accordance with procedures developed for that other regime."

2. FIRST NATION SIGNATORIES TO THE FRAMEWORK AGREEMENT

2.1 Growing Number of First Nation Signatories

Exhibit 3 lists the 51 First Nation signatories to the Framework Agreement as of March 31, 2007. Nineteen First Nations, including Westbank, have ratified the Framework Agreement and assumed operational responsibility for their reserve lands under their land code. Twenty six of the 51 First Nations were in the developmental process throughout 2006-2007 and three of these First Nations ratified the Framework Agreement. Six of the 51 First Nations were inactive in 2006-2007.



Exhibit 3: Signatories to the Framework Agreement as of March 31, 2007			
Province	Operational	Active Developmental	Inactive Developmental
British Columbia	Lheidli T'enneh McLeod Lake Beecher Bay Tsawwassen Ts'kw'aylaxw Sliammon Kitselas T'sou-ke Shxwha:y Village Tsawout	Squamish Musqueam Songhees Osoyoos Tseil-Waututh Seabird Tzeachten Matsqui We Wai Kai Leq'a:mel	N'Quatqua Cowichan Skeetchestn
Alberta		Fort Mckay	Siksika
Saskatchewan	Muskoday Kinistin Whitecap Dakota Muskeg Lake	Flying Dust Pasqua	Cowessess
Manitoba	Opaskwayak Cree	Swan Lake <i>Chemawawin</i>	
Ontario	Scugog Island Georgina Island Nipissing	Mnjikaning Garden River Mississagi #8 Whitefish Lake Dokis Moose Deer Point Kettle/Stony Point Henvey Inlet <i>Anishinaabeg of Naogashiing</i>	
New Brunswick		Kingsclear	St. Mary's
Quebec		<i>Innué Essipit</i>	

Note:

- (1) Westbank First Nation ratified their Land Code in May 2004 and proceeded to implement full self government on April 1, 2005.
- (2) The three new First Nations are indicated in italics.

3. ROLES OF THE LANDS ADVISORY BOARD AND THE FIRST NATIONS LAND MANAGEMENT RESOURCE CENTRE

3.1 Functions of the Lands Advisory Board

The Framework Agreement established the LAB. The principal functions assigned to the LAB are itemized in clause 39 of the Framework Agreement. They include but are not limited to:

- (a) developing model land codes, laws and land management systems;
- (b) assisting First Nations in developing and implementing their land codes, land laws, land management systems and environmental assessment and protection regimes;
- (c) establishing a Resource Centre, curricula and training programs for managers and others who perform functions pursuant to a land code;
- (d) proposing regulations for First Nation land registration;
- (e) in consultation with First Nations, negotiating a funding method with the Minister; and
- (f) proposing to the Minister such amendments to this Agreement and the federal legislation as it considers necessary or advisable;

3.2 Composition of the Lands Advisory Board

The composition of the LAB is determined by the Councils of the operational First Nations. There are currently nine members of the LAB, including the Chair. They serve staggered terms so that positions come up for election almost every year and with the intent that three of the positions, one from each of the three regions, will regularly come open for election annually. The three regions referred to are British Columbia (representing 23 First Nations), Prairie (representing 11 First Nations in Alberta, Saskatchewan and Manitoba), and Eastern (representing 13 First Nations in Ontario, Quebec and the Maritimes).

The Chair and the members of the Finance Committee are elected by the LAB for fixed terms. Exhibit 4 indicates the structure of the LAB and RC.

Exhibit 4
Structure of the Lands Advisory Board and
Resource Centre

Councils of "Ratified" First Nations



Lands Advisory Board 2006-2007
(Chairman) Chief Robert Louie - BC
Harley Chingee - BC
Barry Seymour - BC
Chief Austin Bear - Prairies
Chief Glen Ross - Prairies
Chief Darcy Bear - Prairies
Phil Goulais - Eastern
Councilor Bill McCue - Eastern
Rennie Goose - Eastern



Finance Committee
&
RC Board of Directors
(Chairman) Chief Austin Bear
Rennie Goose
Barry Seymour
Councilor Bill McCue



Resource Centre



Finance Committee: from left Councilor Bill McCue, Chief Austin Bear, Rennie Goose, Barry Seymour

3.3 Mandate and Strategic Focus of the Lands Advisory Board and Resource Centre

The mandate and strategic focus of the LAB and RC in accordance with the Framework Agreement are summarized in Exhibit 5.

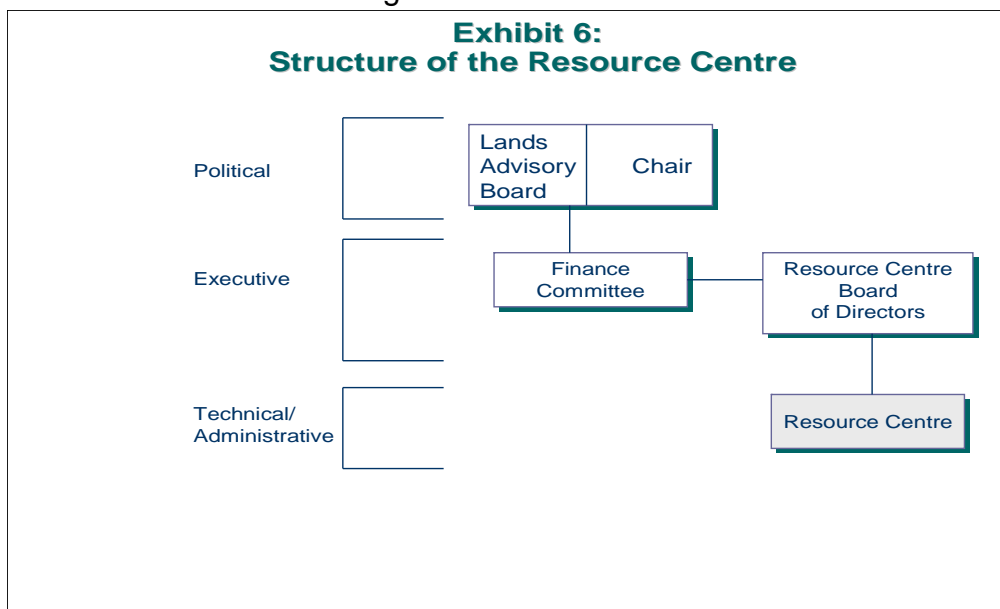
Exhibit 5: LAB Mandate and Strategic Focus		
Mandate	Strategic Focus	Relevant Parts of the Framework Agreement
1. LAB & RC policy, planning and administration to implement the Framework Agreement and <i>FNLMA</i> .	1.1 LAB will fulfill its responsibilities pursuant to the Framework Agreement	Parts VI, VIII & XI
	1.2 LAB & RC will support First Nations with their government-to-government relationship with Canada	Parts V, VIII & XI
	1.3 LAB & RC will support First Nations to access the governance tools required for land management.	Parts VIII
	1.4 LAB & RC will support First Nations to establish relationships with related sectors and institutions	Parts III, IV & VIII
	1.5 LAB & RC will support additional First Nations to be added as signatories to the Framework Agreement	Parts VI, VIII & XI
2. LAB & RC will provide support services to operational First Nations which have ratified the Framework Agreement.	2.1 LAB & RC will support First Nations to exercise their jurisdiction over their reserve lands pursuant to their land codes in such areas as rights & powers, law making, dispute resolution, enforcement, environment, registration, provincial & municipal relations	Parts III, IV, V & XI
3. LAB & RC will provide support services to developmental First Nations ratifying the Framework Agreement.	3.1 LAB & RC will support First Nations with developmental funding	Part VIII
	3.2 LAB & RC will support First Nations to complete the ratification process	Parts II & VIII
	3.3 LAB & RC will support First Nations to conclude their Individual Agreement with Canada	Parts II & VIII

3.4 Lands Advisory Board 2006-2007 Annual General Meeting

The Georgina Island First Nation in Ontario hosted the 2006-2007 LAB Annual General Meeting on November 23-25, 2006. The AGM dealt with a number of topics including a five-year Strategic Plan and Amendment #4 to make the Framework Agreement both bilingual and bijural. As a result of the topics and discussion, a number of resolutions were passed. The AGM agenda and the major resolutions are attached as Appendix C.

3.5 First Nations Land Management Resource Centre

The LAB has two entities to assist with implementing its responsibilities. The Finance Committee has been established to manage all financial and reporting matters on behalf of the LAB and in effect, to function as its executive committee. The Finance Committee is responsible for the RC, which is the service delivery organization that fulfills the LAB's technical and administrative responsibilities under the Framework Agreement. Exhibit 6 indicates the accountability for the RC.



The Framework Agreement assigns specific “technical” duties, referred to in the third column of Exhibit 5, to the LAB. In order to provide separation between the “political” and “technical” administrative regimes, all technical responsibilities assigned by the Framework Agreement and FNLMA have been formally delegated to the RC by the LAB. The RC was formally incorporated in 2004 to undertake the technical responsibilities of the LAB that were ratified and legislated by the Parliament of Canada through the passing of the FNLMA.

4. JOINT IMPLEMENTATION COMMITTEE

4.1 Mandate

The JIC is not referenced in the Framework Agreement or the *FNLMA* but is intended to be a forum for senior Government of Canada officials and the political and senior technical officials from the LAB and RC to facilitate the implementation of the First Nations' transition to jurisdictional authority over reserve lands and resources through a government-to-government relationship.

4.2 Membership

The membership of the JIC includes, for the LAB and the RC, the LAB Chair, the RC Board of Directors Chair and the RC Executive Director. The members representing Indian & Northern Affairs Canada include the Assistant Deputy Minister (Lands and Trust Services), the Director General Lands and the Director of the FNLM Directorate.

4.3 Operational Funding Methodology

The current interim operational land management funding methodology, which has been in place since January 2000, has been based on the volume of registered land transactions. In order to develop a more modern and appropriate funding methodology, a series of three workshops were held with developmental and operational First Nations in August and September 2006. The workshops provided First Nations with the opportunity to report on their concerns regarding the current funding methodology and make recommendations for a new methodology.

As a result of the workshop recommendations, and Canada's commitment in the Framework Agreement to provide adequate land management funding, the First Nations proposed a new operational land management funding methodology. The new methodology departs from the previous transaction-based calculations and focuses on the concept of land governance. The new approach recognizes the self-government authority of First Nations under the Framework Agreement. The First Nations expect that this new approach will be incorporated into the renewed funding authority proposal.

4.4 Audit of the Compliance with the First Nations Land Management Initiative

The Framework Agreement provides for three types of funding from Canada for implementation of the agreement. Developmental funding, or non-core funding is provided to enable First Nations to develop land codes, to negotiate the Individual Agreement with Canada and to seek community approval of both documents. Core funding is provided to support the operations of the LAB and RC of both documents. Operational funding is provided directly from INAC to First Nations that have ratified the Framework Agreement to enable them to conduct land management under their land codes.

Funding arrangements for the Framework Agreement are set out in annual Comprehensive Funding Arrangements with Canada which are signed by the LAB, the RC and the Minister of Indian Affairs and Northern Development.

The objectives of this audit were to verify the LAB and RC's compliance with the Comprehensive Funding Arrangements and to determine if an effective management control framework is in place to deliver and report on key activities, results and expenditures. The examination phase was completed on August 15, 2006 in accordance with the Institute of Internal Auditor's Standards for the Professional Practice of Internal Auditing and Treasurers Board's Policy on Internal Audit. Both the audit and audit action plan are available on the LAB and RC website at www.labrc.com.

4.5 Renewal of the Framework Agreement Implementation

On March 31, 2008, the current five-year funding authority for the implementation of the Framework Agreement expires. An evaluation is being conducted by KPMG on behalf of the LAB and INAC. The findings will be incorporated into a Memorandum to Cabinet and a Treasury Board submission in 2007-2008. The evaluation will identify options for the future implementation of the Framework Agreement and will document the many economic and social benefits that have resulted from First Nations assuming control over their reserve lands and resources.

The evaluation also will identify lessons learned to date. All aspects of the process are being looked at, to the extent possible within the constraints of time and budget – the developmental process (including the Individual Agreement process), the processes for both developmental and operational funding, the impact of *Indian Act* legacy issues and environmental issues on the First Nations implementation of their Land Codes, the roles of the various parties to the Framework Agreement in delivering their responsibilities (including the different groups within INAC), etc..

5. OPERATIONAL FIRST NATIONS

5.1 Land Management under the Framework Agreement

Once a First Nation has ratified the Framework Agreement and enacted its land code, there are 34 land administration sections of the *Indian Act* that no longer apply to the First Nation's reserve lands and resources. The First Nation now is self-governing over its lands and resources.

First Nation authority to manage reserve lands includes all the interests, rights and resources that belong to those lands under the jurisdiction of Canada. The operational First Nations exercise all the rights, powers and privileges of a "natural person" and governmental body. This authority is described in Parts II, III and XI of the Framework Agreement.

5.2 First Nation Authority To Pass and Enforce Land Laws

First Nation authority to pass land laws includes development, conservation, protection, use and possession of reserve lands. In addition, operational First Nations are the only jurisdictions in Canada to have enacted, as required by the Framework Agreement, laws relating to the use and possession of lands on reserve following matrimonial breakdown or divorce. This authority is described in Parts IV and V of the Framework Agreement and sections 20 to 23 of the *FNLMA*. First Nations also have authority, under the Framework Agreement, to appoint justices of the peace with summary conviction powers to enforce their land laws.

First Nation authority to enforce land laws includes establishing offences and comprehensive enforcement procedures and providing for fines. The authority is described in Part IV of the Framework Agreement and in section 24 of the *FNLMA*.

5.3 Capacity Building

Clause 39(1)(e) of the Framework Agreement directs the LAB to establish curricula and training programs for managers and others who perform functions pursuant to a land code. The LAB and RC commissioned a study on the creation of new training programs.



Operational First Nations have expressed their concern with the lack of capacity building and professional development funding available from Canada. Funding these areas still remains a challenge.

In February 2006, the LAB and INAC agreed that operational First Nations under the Framework Agreement should have the opportunity to access training under the departments Reserve Land and Environment Management Program (RLEMP).

The operational First Nations were invited to send their land managers to undertake a 2 year training program at the University of Saskatchewan. The first group of participants attended full time classes during August and October 2006, and January and March 2007. The course involved the examination of legal concepts in resource management, environmental studies, economics, legal instruments and processes, and project assessment. As well as the in-class room time, the students participated in evening and weekend lectures, workshops, and some field trips. Once back in their communities, their training carried a rigorous at-home schedule to fulfill their assignments, essays and major final papers.

5.4 Lands Advisory Board and Resource Centre Support Services to Operational First Nations

The LAB and RC assist the operational First Nations with designing the necessary land laws, processes, agreements, policies, plans, land management systems, and enforcement procedures in order to facilitate:

- granting interests in reserve lands;
- establishing and maintaining a First Nation register to record the granting of interests in reserve lands;
- dividing interests in reserve lands on the breakdown of a marriage;
- accountability to First Nation members (eg: moneys managed under a land code);
- making and publishing First Nation laws;
- establishing a forum for the resolution of reserve land disputes;
- conflict of interest;
- expropriating interests in reserve lands deemed necessary for Community works or other First Nation purposes;

- transferring, by testamentary disposition or succession, interests in reserve lands;
- exchanging reserve lands for other lands; and
- delegating administrative authority, or establishing a legal entity, to manage reserve lands and resources.

The RC also assists operational First Nations in drafting model rules and procedures to deal with:

- traditional and individual holdings;
- agricultural leases and permits;
- residential, commercial, industrial and recreational leases;
- resource leases and permits;
- utility and annual permits;
- assignments, transfers and exchanges;
- fees and rent collection; and
- mortgage registration and discharges.

5.5 Summary of Support Services to Operational First Nations

The LAB and RC provided a total of 742 “support services” to the operational First Nations in 2006-2007. The support services consisted of interactions with First Nation participants that ranged from telephone conference calls, emails, faxes and letter exchanges on the one hand, to multi-day on-site meetings and workshops with Chiefs and Councils, Land Committees, Land Managers and advisors on the other hand.

The operational First Nations receiving support services in 2006-2007 were as follows:

British Columbia:

- (1) Lheidli T'enneh
- (2) Sliammon
- (3) Beecher Bay
- (4) Kitselas
- (5) Ts'kw'aylaxw
- (6) Tsawwassen
- (7) Mcleod Lake
- (8) Shxwha:y Village
- (9) T'Sou-ke
- (10) Tsawout

Saskatchewan:

- (1) Muskoday
- (2) Whitecap Dakota
- (3) Kinistin
- (4) Muskeg Lake

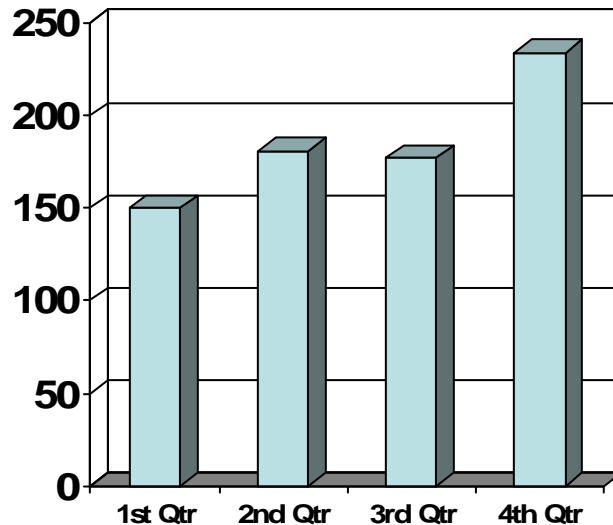
Manitoba:

- (1) Opaskwayak Cree Nation

Ontario:

- (1) Nipissing
- (2) Georgina Is.
- (3) Scugog Is.

Exhibit 7 Quarterly Support Services to Operational First Nations



5.6 Operational First Nation Achievements

5.6.1 Beecher Bay First Nation, BC

Beecher Bay First Nation (BBFN), also known as the Scianew First Nation, is located south west of Victoria on Vancouver Island. BBFN ratified their Land Code in June 2003 and became operational August 1, 2003.

Under the BBFN Land Code there have been positive developments that are a direct result of the community having the authority to decide what land management priorities are important and to be able to work towards these goals in a quicker manner than under the *Indian Act*.

Additional Reserve Land

BBFN along with the Department of National Defence and INAC are nearing the end of the transfer of the 116 acres to be returned to reserve status.

Economic Development

BBFN has been working on developing a marine campsite, meeting with various investors to turn this location into a tourist destination resort. There are many individual band members and non-band members who are interested in opening businesses on reserve.

Other Initiatives

BBFN will be opening a daycare centre in September 2007.



Additional Laws

BBFN implemented the *Matrimonial Real Property Act* June 2004, which has been used once successfully in assisting a band member. BBFN will be working on additional laws, such as land use planning.

5.6.2 Kitselas First Nation, BC



Kitselas First Nation (KFN) became a signatory to the Framework Agreement in 2002 and ratified their land code in 2005. KFN, with a membership of 500, surrounds the City of Terrace, BC and is involved in a number of economic ventures. The first priority was to establish a series of laws including an interest law for 3rd parties (ie. BC Hydro & BC Telus), a Lands Financial Management Law, and a Conflict of Interest law.

In addition, protocols with local municipalities continue to be implemented, such as with the Regional District. Kitselas members are being trained in residential fire fighting and rescue operations as a part of this agreement.

5.6.3 Lheidli T'enneh, BC

LHEIDLI T'ENNEH BAND

"THE PEOPLE FROM THE CONFLUENCE OF THE TWO RIVERS"



Lheidli T'enneh First Nation (LTN) has four reserves totalling approximately 675 hectares located within and adjacent to the City of Prince George. LTN was an original signatory to the Framework Agreement. In October 2000, LTN ratified the first land code in British Columbia and became the fourth First Nation to ratify a land code in Canada.

The elected Lands Authority meets twice a month with the exception of the summer months in order to complete work priorities for 2007-2008. Some of the successes in 2006-2007 and work priorities in 2007-2008 include:

Matrimonial Real Property Law Project

A special task force of Lands Authority and community members was formed in March 2006 to

work on creating a strategy to implement LTN's Matrimonial Real Property Law. The project was successfully completed in September 2006 and the community is ready to move forward with the implementation of the MRPL in 2007-2008.

British Columbia Capacity Initiative (BCCI)

The LTN lands office was awarded funding through the BCCI to assist in building the Nation's capacity for land management. A Land Manager trainee was hired and successfully completed land management training. The current Land Manager has served as a mentor to the trainee. The trainee will continue with further training and mentoring throughout 2007-2008.

Environmental Site Assessment Phase III

The Environmental Site Assessment Phase III was completed in 2007 with the remediation of existing contaminated sites on reserve lands, which had been identified through previous ESA's I and II. A cleanup of the reserve lands was also conducted as part of the ESA Phase III.

Environmental Management Framework (EMF)

LTN successfully completed the design of an EMF document in March 2007 that will serve to provide structure and act as a technical guide for the Nation to prevent, mitigate and control environmental impacts on reserve lands. As part of the consultation process, an Environmental Management Framework Task Committee, comprised of community members, was formed in January 2007 to provide assistance in the creation of LTN's EMF document.

Zoning Law

The Lands Authority is working to create and implement a zoning law for the reserve lands. The law will be written in direct correlation to the LTN Reserve Land Use Plan that was completed and ratified in March 2005. The zoning law will seek to provide a clear and efficient system of land use regulation to implement the LTN Reserve Land Use Plan. It will serve to address the current and probable future needs of the community in terms of sustainable growth and development.

5.6.4 McLeod Lake Indian Band, BC



McLeod Lake Indian Band (MLIB) has been operational since 2003 and is in the process of continuing the implementation of its many projects.

Environmental Management

MLIB finally completed the ESA Phase III in 2006/07. The main activity in this area was the clean up of an abandoned garbage site and old vehicles on IR. No 1.

An Environmental Management Framework (EMF) was completed including the development of operating procedures for eight categories: (Fuel Handling and Storage, Solid and Liquid Waste Management, Hazardous Materials Handling, Storage and Disposal, Environmental Emergency Response, Environmental Impact Assessment, Ground and Surface Water Protection, Habitat Protection, and Cultural Resource Protection). The EMF provides the ground work and base line for the Band to prevent, mitigate, control environmental impacts and ensure all applicable environmental regulations are met.

Land Use Plans

A comprehensive zoning law was completed as Phase II of the Land Use Plan. In addition to the zoning laws, approval of lease applications, environmental and development review procedures, servicing of lots, procedures for sub-leasing, development financing, dispute resolution processes, and building standards were also examined and developed.

MLIB regularly meets with the local Fraser Fort George Regional District to harmonize land use planning and zoning laws. This work is on-going and is based on a protocol MLIB has with the regional district. The MLIB Lands Committee also worked toward the approval of an access permit for two pipeline companies that operate through MLIB lands.



Capacity Building

The Lands and Resource Manager is currently undertaking the RLMP training at the University of Saskatchewan. Recently, an Assistant Land Manager was hired to assist with administrative support. The position is shared with the Forestry Department because of a lack of adequate funds from the operating lands budget.

Challenges

Since, 2002, the MLIB continues to wait for Canada to accept 5 Additions to Reserve parcels. Another obstacle to the Lands Department is INAC's involvement in Capital Projects on Band Land. However, the leading issue is the lack of adequate funding for the implementation of *the McLeod lake Indian Band Land Code, May 2003* impeding progress for long term planning and capacity building and training for committee members and staff other than the Land Manager.

Next steps

MLIB plans to establish enforcement regulations; Land Use Plan – Phase III; implementation of the *MLIB Matrimonial Real Property Act*; development of a community orientation strategy including marketing tools; an administrative strategy to integrate other departments with the lands department; and the development of a registry system.



5.6.5. Shxwha:y Village, BC

The Shxwha:y Village Land Code was approved by an 85% margin by membership through Ratification Votes held June 15, 16, and 17, 2006. The Minister of Indian and Northern Affairs formally approved their Individual Agreement on January 8, 2007 at which point Shxwha:y Village became an operational First Nation. Shxwha:y Village has a Lands Manager in place and administrative support. They are finalizing laws for the Land Code Committee and Matrimonial Property and working on the Environmental Management Agreement. Phase 2 of the Environmental Site Assessment has been completed including some clean up activities and negotiations are currently underway regarding Phase 3 measures.

The approval of Shxwha:y Village's Land Code has proven to be of great benefit to the community. There is a lot of work to be done and many issues to be addressed but they now manage their own lands. Shxwha:y Village's first concrete example of this was in their ability to obtain a Timber Mark from the BC Ministry of Forestry. The process took them less than 10 days. With INAC, it took them at least 6 months.

Shxwha:y Village is now moving ahead with developing their lands. They have been approached by several large developers who do not currently deal with First Nations because of INAC bureaucracy. The developers have reviewed their Land Code and are excited to work with Shxwha:y Village as they see Shxwha:y Village has the final decision making authority.

Shxwha:y Village is nearing a development agreement for up to a \$30M investment on their lands in partnership with third party developers. This will create long-term benefits including employment, training, profits, and a significant property tax base as Shxwha:y Village also has its own taxation authority. They will be able to finalize this in 6 months or less. Previously, INAC's processes would have taken a minimum of 2 years. Developers are very positive about the Land Code process and are looking towards others finalizing theirs.

Shxwha:y Village continues to work with LAB and INAC to reach a more equitable operational and environmental funding system. The costs for a First Nation to establish their laws and to be operational far exceed current funding levels. First Nations have to rely on professionals, have higher duty to consult their members and do not have the internal resources that INAC has. Interaction with neighbouring municipalities and other government agencies is also a costly process. However, they are moving forward and managing their own lands and resources as First Nations did long before Canada existed.

5.6.6 Sliammon First Nation, BC



Over the past year Sliammon First Nation (SFN) has been busy working on developing a new head lease which will be completed in the very near future. With the completion of the head lease SFN will be in a position to begin renewing sub-leases which will bring revenues in to the SFN community.

The Lands Department has completed a study to identify all interests on SFN six reserves. The Final Report for the SFN Reserve Lands Interest Verification Project Phase One includes: a comprehensive list of current individual and collective interests on SFN Reserve Lands; a list of potential outstanding issues relating to individual certificates of possession (CP's); and a list of related documentation required to support the resolution of those issues. SFN is currently awaiting funding to implement Phase Two of this project.

The SFN Lands Authority Board has met with other internal entities such as SFN Development Corporation, SFN Treaty Society, Tla' Amin Health Society and SFN First Nation Band Administration and has developed a Comprehensive Community Plan. SFN has adopted the Plan and are beginning the implementation phase. With respect to lands, this will be the implementation of a Comprehensive Community Plan; and the formation of a Regional Technical Working Group (Regional District, City, SFN) which provides for joint community planning with respect to land and infrastructure.

SFN has now completed an Environmental Management Framework which establishes an Environmental Assessment baseline which makes recommendations about Land Use Planning; Emergency Preparedness and brings together in one group of documents all the existing regulatory framework pertaining to reserve land.

The following list are ongoing matters and issues in progress that the Land Management is doing under Land Code

- Ø Interests and licenses for land and natural resources
- Ø Revenue and expenditures
- Ø Zoning, land use, sub divisions, land development
- Ø Environmental protection and assessment
- Ø Transfers including wills and estates
- Ø Expropriation
- Ø Matrimonial property
- Ø Dispute resolution
- Ø Enforcement
- Ø Administration and accountability including conflict of interest rules and delegated authority
- Ø Capacity building within our Registry



5.6.7 Tsawwassen First Nation, BC



The Tsawwassen First Nation, located along the southern coastal reaches of the British Columbia Lower Mainland, signed onto the Framework Agreement in 2001. TFN members voted on their land code in 2003, and the code was enacted in March of 2004. The land code has become the core component of Tsawwassen's land management strategy.

As with other First Nations involved in the Framework Agreement, the impetus for Tsawwassen to become a signatory was the desire to achieve land management autonomy. One of the driving forces was also the reduction of bureaucratic intervention and the streamlining of land transaction processes; the latter are now implemented in weeks, rather than months. Laws are now in place to help govern the lands; more are being developed. The transition from the *Indian Act* management regime was not without its challenges, particularly because the costs of training staff and developing laws and procedures are significant. With a complete reorganization of the Lands Department, however, land management is now carried out or supervised, *in house*. One exception to the latter is the set of procedures involved with Environmental Management; these remain to be negotiated with the Federal governments.

Renewed emphasis on economic development has taken place due to, the community's wish to invigorate its economy, the spectacular geographic location, and particularly third party renewed confidence in Tsawwassen's ability to manage its lands. A Land Use Plan has been developed and a more comprehensive Community Planning exercise is underway; both will enable better planning and longer term economic development projects and commitments.

5.6.8 Ts'kw'aylaxw First Nation, BC



Ts'kw'aylaxw First Nation (TFN) is an operating First Nation that ratified their Land Code in March 2004.

TFN have accomplished a great deal in the years since they ratified the Land Code, with regard to environmental issues on their reserve. In 2005 TFN negotiated a lease with a Mining company on one of their reserves and, in the lease, incorporated Mitigation measures that resulted from an Environmental Assessment as per Annex F of the *Individual Agreement*. In the lease TFN ensured that the lease was regulated under the Ministry of Energy and Mines regulations.

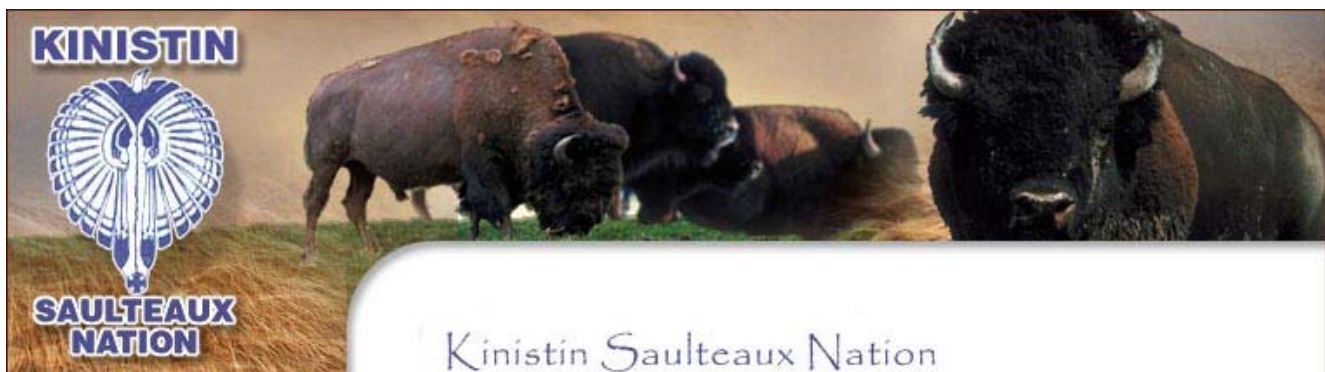
Monitoring of the reserve lands has been ongoing for two years now and TFN is in full control of the monitoring as they fully participate in all aspects of the environmental issues that would not have been possible if not for the First Nation Land Management Act / Framework Agreement and the Lands Advisory Board.

TFN has been developing a Strategic Land Management Plan, with assistance from a consulting firm. The purpose of the Plan is to increase TFN's present capacity to be prepared to consult, negotiate, and manage lands to ensure that fair settlements or arrangements can be reached in the future as it relates to these lands. The Plan will prepare TFN for timely responses to any issue.

The development of the Plan included training members in land and resource management areas such as mapping, data collection, report writing, and assessing and identifying land development opportunities. The Plan will complement TFN's Land Code.

The TFN initiated the Mountain Pine Beetle project and utilized the environmental provisions of the Land Code to assist with the initiative. As well, TFN also sorted out some legacy issues through the development of a registry and leasing application template. TFN also had to take care of a Section 35 transfer which also became a part of the strategic land use planning. Lastly, TFN also ratified its Matrimonial Real Property Law to fulfill its requirement according to the Framework Agreement.

5.6.9 Kinistin Saulteaux Nation, SK



Kinistin Saulteaux Nation (KSN) ratified its Land Code in 2004. Since then, KSN's Lands Committee has been working productively in undertaking all aspects of lands management. The KSN Land Code allows its membership to become aware of all issues pertaining to KSN lands. A good example is the Lake Front Development Project which involved community consultations and participation from all members. Members discussed all aspects of the project and ultimately made a collective decision to pursue priority areas for development. This process created a positive attitude within the community and has set a precedent for future land use decisions. The process also fostered empowerment amongst membership from being in control of decision making without the involvement of government.

The KSN Land Code also continues to foster discussions on a number of areas including traditional land designation, environmental issues, by-law making, and capacity building. The Land Code also instils a sense of pride in members and allows the development of relationships between local land owners and the KSN members and thus, provides a sense of pride and ownership in land use and development.

Urban KSN members also experience a sense of belonging in the community because their participation is invited in the development of land initiatives and their input in all discussions have

proven to be helpful to the leadership of KSN. Many forums have been held and discussions amongst band members has allowed a more effective and positive method of land management to occur.

5.6.10 Muskoday First Nation, SK



Muskoday First Nation (MFN) is located in the parkland region of Saskatchewan, 16 kilometers southwest of the City of Prince Albert. Muskoday is an original signatory to the *Framework Agreement on First Nation Land Management* and was the third community in Canada to adopt a Land Code in 1998. MFN has been operating under its code since January 1, 2000.

Treaty Land Entitlement – Unfinished Business

On May 23, 2007, MFN members voted overwhelmingly to ratify the Treaty Land Entitlement claim negotiated between MFN, Canada and Saskatchewan. 655 members took part in the ratification vote, with 644 members voting yes, 7 voting no and there were 4 spoiled or rejected ballots. As a result of this positive vote, MFN will be looking to expand its traditional land base from 24,000 acres which was allotted at the time of Treaty 6 in 1876 with the acquisition of additional agricultural, commercial and industrial lands or investments in commercial or industrial properties.

This “unfinished business” dates back over 130 years when MFN, then known as John Smith Reserve, did not receive its full entitlement of reserve lands at the time of signing of Treaty 6 in 1876. Research and negotiations date back to 1992, when Canada and Saskatchewan began working on fulfilling their obligations to reserves in Saskatchewan under treaty.

The economic benefits will not only be realized by today’s generation, but also their children and their children’s children. MFN will again be a part of history as no other First Nation in Canada under a Land Code has successfully ratified a Treaty Land Entitlement Claim.

Land Code Amendment

MFN held a ratification vote on March 19, 2007 to amend a portion of their Land Code. This amendment was deemed necessary to grant public utility companies longer replacement agreements on new lands acquired through the Treaty Land Entitlement (TLE) process. The vote was conducted by mail in ballot and an on reserve polling station. The vote was conducted by Mr. Oliver Cameron of Saskatoon, Saskatchewan and verified by an independent body pursuant to Section 33.2 of the MFN Land Code and as recommended by the Lands Advisory Board Resource Center, Mr. Gordon Alger of Meadow Lake, Saskatchewan. 91% of the members who voted gave approval to the amendment. 330 Yes votes, 30 No votes and 30 rejected ballots. These changes have now been made to the Land Code and a copy has been sent on to the LAB Resource Center.

Agriculture

Agriculture on the prairies is beginning to make a turnaround and there is still high demand for leasing agricultural lands on MFN. Much of the cultivated land base is regarded as some of the best in the Saskatchewan River Valley. Most farmers have signed 5 year agreements, which will mean guaranteed income every year for the First Nation. There continues to be more interest in

First Nations agriculture with smaller cow/calf operations starting up and a member owned riding stable beginning operations in 2006.

Commercial Leasing

In August 2006, MFN leased out the restaurant facilities located in the same building as the community owned Store and Gas Bar. The new tenants not only provide a service and employment to members and non-members from surrounding communities, but also help generate revenue for the First Nation as the lease is administered under the Land Code. This lease was recently renewed for another 12 month period.

MFN also continues to lease billboard space on its lands to three different companies in the City of Prince Albert. Businesses from other surrounding communities have approached the Lands department on leasing billboard space along Highway #3, one of the busiest routes in the province.

Land Use Planning

MFN adopted a land use plan in 2002 which helps provide direction for development on its community lands. The priority issues in having a land use plan in place include: Maintaining the environmental integrity of the community with new or existing commercial, agricultural or industrial development. Retaining prime agricultural land for that specific purpose. Conserving Mother Earth and healing or reclaiming the earth where it has already been adversely affected. Ensuring that MFN continues to be an enjoyable place to reside. A comprehensive review of this plan will begin this year and amendments will be made to reflect new lands acquired under the Treaty Land Entitlement process.

5.6.11 Whitecap Dakota First Nation, SK



Whitecap Dakota First Nation (WDFN) is located 26km south of the City of Saskatoon. The members of WDFN approved its land code in November 2003. The WDFN Land Code came into effect January 1, 2004.

Land Use Planning

WDFN has developed a land use plan which divides the reserve into land use districts. This has enabled Whitecap to identify lands for commercial, industrial, agricultural, residential, resource conservation and cultural uses with specific development standards for each district. These standards ensure developments are consistent within each land use district and ensure they are done in an orderly manner. The land use plan has been a successful tool in marketing commercial, industrial and residential lots.

Commercial Leases

Since the Land Code came into effect, WDFN has approved 16 new commercial leases. The land code has allowed WDFN to approve commercial leases of up to 49 years. The commercial leases include the award winning golf course, *Dakota Dunes Golf Links* (Golf Digest best new course in Canada in 2005), a world class Casino (66 million dollar development) scheduled to open in August of 2007, and a 20.0 million dollar hotel complex scheduled for construction in the spring of 2008 to compliment the golf course and casino. As well, a number of smaller businesses have been attracted to the Whitecap reserve based on the developments and ease of negotiating land leases under the land code. The developments are expected to generate 650 jobs on reserve. The jobs generated exceed the total First Nation population of 500 members. These jobs will be provided to members and those residing in surrounding municipalities.

Permits and Easements

The land code has allowed WDFN to issue permits, easements, and rights-of-way to utility and transportation entities. This has been particularly effective with Provincial crowns who provide utility services. The land code has provided for timely responses to providing new utilities (Sask Power, Sask Energy, Sask Highways and Transportation and SaskTel).

Residential Leases

WDFN has the ability under its land code to approve residential leases of up to 99 years in duration. WDFN is developing a residential subdivision with lots available to members and non-members. Due to the existence of their land code, WDFN is now more appealing to buyers who may now obtain mortgage financing from conventional lenders.

Infrastructure

WDFN provided 10 million dollars in community infrastructure to accommodate the commercial and residential developments. Infrastructure development included sewer and water upgrades, and expanded utilities (power natural gas, telephone/ cellular). WDFN can now market both commercial and residential lots as fully serviced.

5.6.11 Opaskwayak Cree Nation, MB



The Opaskwayak Cree Nation (OCN) Land Code became effective August 1, 2002. Amendment #1 to OCN Land Code was ratified by the citizens of OCN on June 15, 2005 and registered in the First Nation Land Registry. The following land laws were in force on March 31, 2007:

- Land Law 2003/002 - Land Law for Establishing a Land Authority - March 10, 2003
- Land Law 2003/003 - Governing the Use and Occupancy of OCN Lands - August 11, 2003.
- Land Law 2006/001 - Spousal Interest Land Law - February 15, 2006

Regulations for the Determination of Rents, Fees, Rates, Assessments, and Duties for Residential Use and Occupations of OCN Lands pursuant to Land Law 2003/003 which was enacted on July 7, 2006. We are currently adjusting accounts to reflect the regulation.

All land transactions have been managed and administered in accordance with the OCN Land Code, the Individual Transfer Agreement, OCN Land Laws and any other legislation that may apply. All transactions were registered in the OCN Land Registry with duplicates submitted to and registered by the First Nation Land Registry in Ottawa.

With the positive vote for the Root Lake Beach Ridge in February, OCN staff finalized a permit for a third party interest (Kelsey Snow Riders) that will become effective once the Root Lake Beach Ridge selection becomes "OCN Land".

The OCN Lands Department, in conjunction with the TLE coordinator, are working together to develop the process to amend the Individual Transfer Agreement to include new lands under our Land Code.

OCN continues to work on:

1. Completing their Land Use Plan and Regulation
2. The draft application for Land Use Regulation that requires community consultation.
3. Reviewing the draft of Finance Policy Accounts Receivable (on-going).
4. Template documents such as:
 - a. Amending agreements for Band Members to change from Fair Market Rent to Land Use Fee, if applicable;
 - b. Public Interest Permits for storage of Peat, Public Interest Permits for water line project.
 - c. Drafted sub-lease agreement with OCN Housing Authority;
 - d. Permission to Enter OCN Land Permits.

Land Authority Board

While the Lands Department staff carry out administrative functions related to the implementation of the OCN land system, the Land Authority Board of Directors, Chief and Council play an essential role in fulfilling their responsibilities under the Land Laws and Land Code. The Land Authority members are also involved in all of the outstanding issues as well as the negotiations relating to program funding and the development of a permanent formula for the First Nation Land Management Initiative. OCN is also looking at dispute resolution. The Land Authority Board held 12 Regular Meetings and 7 Special Meetings throughout the fiscal year.

Administrative - Individual Agreement

Work with INAC staff continues relative to the Annexes, of the Individual Agreement. This includes Outstanding Lands Transactions such as the #10 Highway South/Umpherville Road land exchange (21A & #), PTH#10 old highway and Umpherville Road (21E); return of closed road, speed curve; exchange of land with Roman Catholic church; borrow pit and highway 285 (21B); reviewing legal descriptions in accordance with the Individual Agreement; outstanding rent collections and review of accounts. There were 11 items listed under this agreement with a completion date of October 2003. One out of the 11 has been completed (Saskatchewan road exchange).

One issue that delays the process of completion of outstanding land exchanges is the issue of Canada's not having authority under the Framework Agreement to take land and transfer it to the Province. OCN has the understanding that Canada has addressed the issue under Federal Real Property Act.

Work is also ongoing to clear up the outstanding rent accounts, the legal description of the reserve parcels and the outstanding environmental issues. OCN has received 7 completed legal description reports and are waiting for 8 more. Surveyors have consulted with us for the areas that are being re-surveyed. Under the formula utilized by INAC, the work and time spent on completing the outstanding items from the Annexes is not included and therefore any costs incurred continues to be at OCN's expense.

OCN had requested that Canada amend the Individual Agreement to extend the deadline for resolution of the issues, however it remains uncompleted.

Administrative - General

Template documents and forms have been developed for the following: Residential Leases, Residential/Small Agricultural Permits, Billboard Permits, Residential Permits, Recreational Permits, Public Interest Permits, Right of Way Permits, Utility Permits, Natural Resource Use Permits, Mobile Home Leases, Sub Leases, Commercial Leases, and Development Permits. As well, Environment and Land Use Applications are in place and being utilized. (The template document outlines the terms and conditions that a interest holder will abide to when approved to use land). Templates for OCN Land Status Reports are also in place.

There are numerous inquiries and applications for use of land, primarily for residential use. These are processed through the system as completed applications are received.

The Lands staff each have a specific focus, (for example, one deals with residential, small agricultural and permits another commercial, mobile, agricultural; another billboards & mapping, etc.). These staff members assist applicants and are available when there are inquiries regarding land or operations.

Lands staff provided support to other departments, both within OCN and at INAC, in land matters relating to Capital Projects and Housing.

All types of agreements were monitored for compliance and files were up-dated. Any leases/permits which had rent or fees due were reviewed and if monies were owing then collection letters were sent out in a timely fashion. Currently all lease accounts are being reconciled to March 31st, 2007. This work is being undertaken jointly by Finance and the Lands Staff.

Administrative - Environment

The OCN Environmental Team reviews proposals, primarily for new applicants that are developing business, agricultural, or recreational enterprises that may have an environmental impact on OCN lands. The team also reviews the status of outstanding or problem areas and



works to remedy the situations. All applicants and projects are required to complete an Environmental Assessment (EA) screening. The EA screening document is reviewed by lands staff and maintained on file for future reference. Site investigations are completed and any necessary follow-up that needs to be completed, such as mitigation requirements for projects are undertaken. This is part of the monitoring and compliance required under a Lease or Permit.

Investigation of possible contaminated sites identified in the Individual Agreement is ongoing. During the 2006-2007 fiscal year work on two sites was undertaken with funding provided by INAC via their Environment and Capital Project programs.

An Environmental Site Assessment Study was completed on 14 sites identified in Annex D of the Individual Agreement during 2006-2007 with funding provided by INAC. A final report of the Environmental Site Assessment Study has been submitted to INAC.

Forestry

In 2006-2007, OCN submitted a proposal to the First Nation Forestry Program and was approved. OCN was then able to hire a crew of 4 members to do selective cutting on reserve 21A. OCN continues to monitor areas that are being used for the timber harvesting; and to ensure that no unauthorized activities are being conducted. OCN has completed projects of cleaning up dead fall in areas that have been previously harvested.

5.6.12 Chippewas of Georgina Island, ON

The Chippewas of Georgina Island First Nation (GIFN) have realized many benefits to sectoral self-government from their reserve lands and resources since they ratified their land code. Due to the streamlining of leasing processes GIFN has been able to increase both the number of leases and revenues from those leases in fiscal year 2006-2007. This funding goes a long way towards providing adequate social and post secondary services to all members of GIFN.



The ability to make timely decisions about the development of our lands has also meant that GIFN has been able to embark on a wind energy project which will generate more than enough power to the residents of the community as well as sufficient power to sell back to Ontario Hydro.

5.6.13 Mississaugas of Scugog Island First Nation, ON



The Mississaugas of Scugog Island First Nation Land Code came into effect on January 1, 2000. Scugog Island First Nation (SIFN) was the first of the original 14 signatories to the Framework Agreement to pass a Land Code.

With the success of the Great Blue Heron Charity Casino, it has enabled SIFN to expand its Administration office during 2006 with another addition which houses 14 offices, a small conference room and a staff lounge. Construction has also begun on the first home in a

recently developed 16 unit residential sub-division. As well, SIFN has also commenced an Additions to Reserve process on two properties that were purchased. SIFN is also going to start working on our Land Use Plan. SIFN will soon be examining the possibility of a water/sewage treatment facility that will serve the casino and the surrounding community. SIFN is definitely growing!

5.6.14 Nipissing First Nation, ON



Nipissing First Nation has operated under the Nipissing Land Code since June of 2003. Both the Nipissing Nation Membership and its land leasing clientele have homes built in villages, hamlets and subdivisions that are located along the shores of beautiful Lake Nipissing.

The Nipissing Land Office has registered interests in Jocko Point and Beaucage subdivisions numbering 285 leased lots with a total capacity of 334 lots for lease. The Nipissing Land Code provided a legal framework for the registration of direct leases between Nipissing Nation and it's clientele. The direct lease arrangement was negotiated by a Committee made up of Nipissing Council, the Nipissing Land Staff and lessees. Resulting from those negotiations the Committee members were able to put in place a lease that received Canada Mortgage and Housing's backing for mortgages. The development of custom rent review provisions and mediation processes assisted in the acceptance of the lease arrangement.

Nipissing Nation has experienced an emerging housing market in both the land leasing subdivisions and Nation member communities. The land leasing subdivisions have increased attention by financial institutions providing increased mortgaging capability for our client lessees.

Commercial and Industrial

Commercial Industrial properties have been leased since the mid 1950's. Nipissing leases land to clients that are both non-nation entities and Nipissing Nation member entrepreneurs.

All commercial operations are encouraged to employ Nipissing Nation members to take advantage of rental concessions provided under their leases.

Nipissing boasts as clients in the commercial sector, a motel, a travel agency, a storage facility, recreational vehicle sales and servicing facility, brick and tile sales, a coffee shop, convenience stores, gas stations, tobacco product manufacturer and an office complex.

The Nipissing quarry has a lessee who is a major privately owned North American company who operates a quarried rock operation. The Miller Group has been beneficial to Nipissing by providing royalties for rock extraction sales and employment to our Nation members. A direct lease with Nipissing, an ability to structure a lease beneficial to both Nipissing and the lessee and strong mediation clauses were instrumental in attracting this lessee to develop on Nipissing land.



Nipissing members employment is not restricted to on reserve employment. Nation members work in the waste management facilities operated in North Bay by the Miller Group and in other Miller Group operations in Ontario. Job mobility within the Miller Group facilities have been embraced and is encouraged by Nipissing Nation.

Nipissing Nation is presently investigating with the Miller Group other projects that will greatly enhance the land leasing and employment aspirations of Nipissing Nation.

Laws and Regulations

The Nipissing Nation Land Law Committee has developed a Land Law Enactment Process under the Nipissing Land Code. This enactment process has provided for the enactment of the Nipissing Business Licensing Law.

Environmental Management

Nipissing Nation land base consists of 58,000 acres of land. The Nipissing environmental concerns embrace land, flora, fauna, water shed and impacts of Nipissing as well as by the neighboring communities.

Since 1996, Nipissing has anticipated the requirements under a land management regime for environmental strategies on its land base. Beginning that year and implemented in all land projects, environmental studies and strategies have been Investigated and an inventory has been set in place. With the assistance of Public Works Canada, Indian and Northern Affairs and various environmental consulting firms a management strategy may now be formed to comply with the Framework Agreement set in place and signed by Canada and Nipissing.

While protection of the environment is foremost in developing an environmental management plan, Nipissing is putting weight to the adoption of laws that provide for the protection and enforcement of environmental standards at Nipissing.

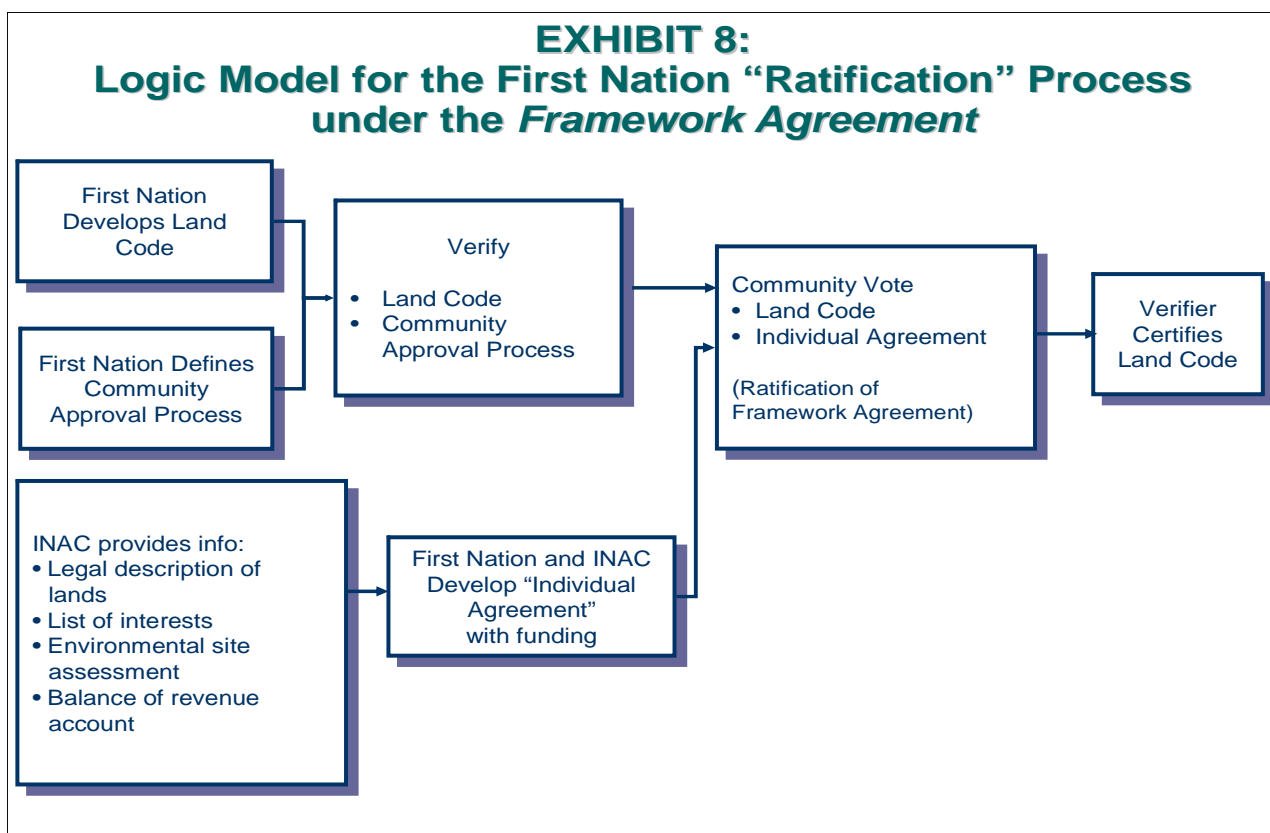
Nipissing also wishes to address in the environmental management plan, remediation of a radon contamination site, special land zone protection laws, a review of impact landfill sites off reserve, acknowledgement by federal and provincial governments of the Nipissing Fisheries Law, enabling of future protectionist resource laws and appropriate laws to govern land, resource and watershed activities on Nipissing land.



6. DEVELOPMENTAL FIRST NATIONS

6.1 First Nation Ratification of the Framework Agreement

A signatory First Nation is required to complete a vote by eligible members both on-reserve and off-reserve, on whether to approve a land code prepared by the community and an Individual Agreement negotiated with Canada. There are 34 activities to complete the community ratification process required under the Framework Agreement. In 2006-2007 the active developmental First Nations made considerable progress towards completing these activities. As a result, many anticipate completing their community votes and beginning operational land management under their land codes in 2007-2008.



6.2 New First Nation Signatories to the Framework Agreement

Three First Nations — Chemawawin in Manitoba, Anishinaabeg of Naogashiing (Big Island) in Ontario and Innue Essipit in Quebec — were recommended by the LAB and approved by Canada. The three communities will begin the community developmental process as of April 1, 2007.

6.3 Lands Advisory Board and Resource Centre Support Services to Developmental First Nations

The support services provided by the LAB and RC to the developmental First Nations includes the drafting of the community land code, the design and implementation of a community communication and consultation strategy and the design & implementation of the community ratification process.

In addition, when requested by a First Nation, the LAB and RC provide advice and guidance on the environmental site assessment, the survey of the reserve jurisdictional boundary and the Individual Agreement with Canada.

Exhibit 9 indicates the 2,104 support services provided by the LAB and RC to the developmental First Nations in each quarter of 2006-2007. The support services included daily telephone conference calls, emails, faxes and letter exchanges on the one hand to multi-day on-site meetings and workshops with Chiefs and Councils, Land Committees and coordinators on the other hand. In some cases these meetings and workshops required the participation of several RC staff as well as the LAB.

Exhibit 10 indicates the number of daily support services provided by the LAB and RC in assisting each of the developmental First Nation to complete the above activities. Exhibit 11 indicates the support services provided to the developmental First Nations by province.

Exhibit 12 indicates the support services provided to both the operational and developmental First Nations by province.

Exhibit 9 Quarterly Support Services to Developmental First Nations

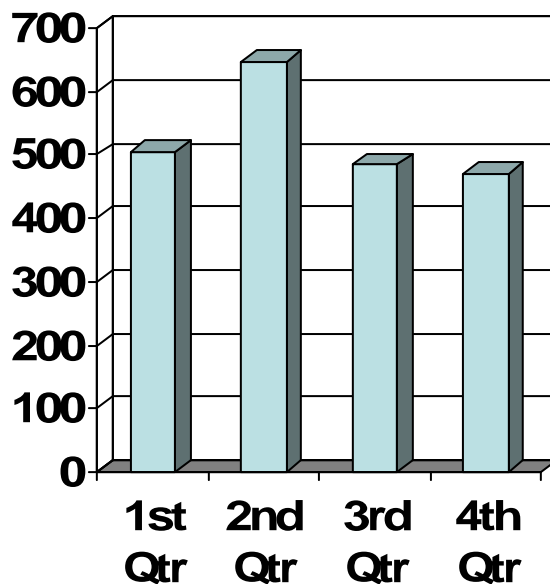
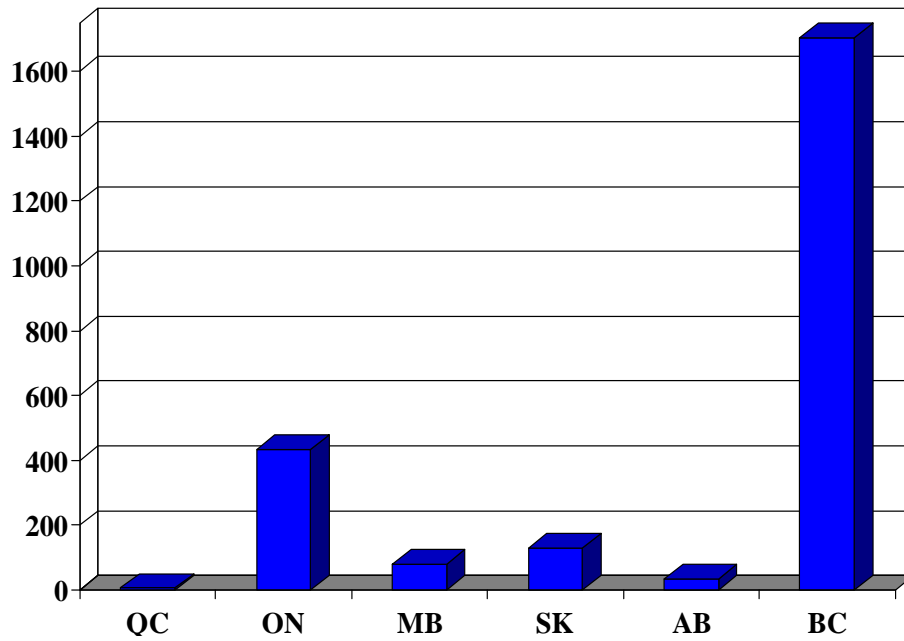


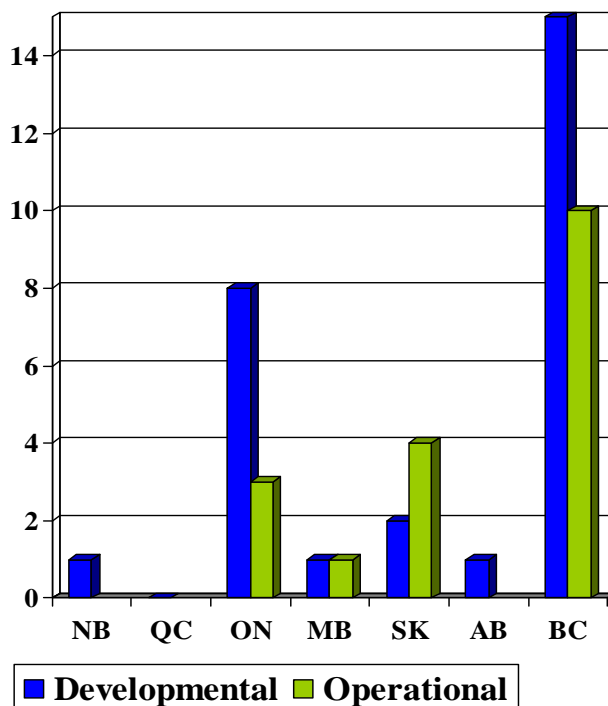
Exhibit 10: Quarterly Support Services to Each Developmental First Nation

First Nations:	April May June	July Aug Sept	Oct Nov Dec	Jan Feb March	Total
BC: Tsawout	42	48	45	31	166
Songhees	48	48	24	30	150
Skeetchestn	11	9	1	0	21
Tsleil Waututh	10	15	15	14	54
Musqueam	4	23	9	6	42
Squamish	6	26	23	16	71
Osoyoos	25	30	9	9	73
Shxwa:y Village	35	29	24	29	117
Leq'a:mel	1	10	19	17	47
T'Sou-ke	14	18	25	15	72
Tzeachten	8	9	6	15	38
Seabird Island	33	37	34	38	142
Matsqui	33	29	25	38	125
We-wai-kai	11	15	8	21	55
Squiala	30	38	31	21	120
AB: Ft. McKay	17	30	9	11	67
SK: Flying Dust	6	13	16	9	44
Pasqua	22	24	22	12	80
MB: Swan Lake	8	15	10	12	45
Chemawawin	0	0	0	5	5
Swampy Cree Tribal Council	0	0	16	0	16
Norway House	0	2	1	2	5
ON: Mnjikaning	5	12	6	10	33
Garden River	31	23	9	10	73
Moose Deer Point	22	18	15	11	66
Mississauga	8	15	6	15	44
Whitefish Lake	11	18	9	5	43
Kettle and Stony Point	15	16	12	21	64
Dokis	17	22	8	13	60
Henvey Inlet	12	16	13	19	60
QC: Innue Essipit	0	19	37	0	56
NB: Kingsclear	19	20	13	14	66
Total:	504	647	500	469	2,120

**Exhibit 11:
Services to Developmental First Nations by Province**



**Exhibit 12:
Operational and Developmental First Nations by Province**



7. VERIFICATION PROCESS UNDER THE FRAMEWORK AGREEMENT

7.1 Role of the Verifier

The Chiefs who negotiated the Framework Agreement in 1996 introduced the concept of an independent party who would ensure that all aspects of the ratification process were conducted to the satisfaction of both the First Nation and Canada. The “Verifier” is jointly appointed by the First Nation and Canada.

Clause 8 of the Framework Agreement states that the role of the Verifier is to:

- (a) decide whether the proposed land code conforms with the requirements of clause 5;
- (b) decide whether the proposed community approval process conforms with the requirements of clause 7;
- (c) determine whether the community vote is conducted in accordance with the community ratification process approved by the Chief and Council; and
- (d) certify that the land code is properly approved by the First Nation.

The Verifier also has the power to make a final decision to resolve:

- (a) any dispute regarding whether a portion of a reserve may be excluded from a land code pursuant to clause 4.4; and
- (b) any dispute regarding the specifics of the transfer of administration between Canada and the First Nation.

The Verifier takes into account the principles of natural justice and objectivity in decision making. A significant void left in the verification area. In May of 2005, the RC and INAC conducted a training session for potential verifiers and after many months of interviews finalized a verifier’s manual. First Nations now are able to choose from a list of pre-approved verifiers.

8. AGREEMENTS AND REGULATIONS

8.1 Environmental Management Agreement

Clause 24 of the Framework Agreement states that:

“The Minister [of INAC] and the Minister of the Environment and each First Nation with a land code...will negotiate an environmental management agreement.

An environmental management agreement in essence will be a plan on how First Nation will enact environmental protection laws deemed essential...It will include timing, resource, inspection and enforcement requirements.”

In fiscal year 2006-2007, the LAB and RC began discussions with representatives from INAC and Environment Canada on the development of a negotiation process for Environmental Management Agreements. Two workshops were held in BC (January and March 2007) with operational and developmental communities to discuss a proposed negotiation process.

The RC will be assisting each of the operational First Nations to complete their Environmental Management Agreement (EMA) with Canada as quickly as possible once the model template is finalized. Both the LAB and Canada have made the finalization of these agreements a priority and it is expected that these agreements will be in place in 2007.

The proposed process will begin with operational communities identifying environmental priorities and issues, followed by the actual negotiation of EMAs. The work in 2006-2007 has also resulted in the development of a draft proposal on the implementation of the Environmental Management Agreements over the next five years (2008-2013).

8.2 Environmental Assessment Process

An interim environmental assessment process has been a major component of a First Nation's Individual Agreement with Canada. Provisions in the Framework Agreement provide an opportunity to negotiate a more formal environmental assessment process to guide the conduct and sign-off on environmental screenings and assessments. Discussions between Canada, the First Nations and the RC re-commenced in 2004-2005 on this initiative and are on-going, in conjunction with the environmental management agreement.

8.3 Land Registry Regulations

There are no formal land registry regulations under the *Indian Act*. Consequently, financial institutions have expressed concern over this regulatory vacuum and the uncertainty in relation to the security of real estate investment on reserve. Under the Framework Agreement the priority is to develop a registry regime to achieve clarity and transparency with respect to land tenure and to improve the climate for investment on reserve, while respecting the integrity of traditional land holdings.

The preference of the LAB is to establish a Torrens system, but that is not currently possible for a variety of reasons. It difficult to establish this system across Canada for Indian reserve land. It takes more than political will – it would take millions of dollars in survey costs alone. In order to secure tenure the LAB has had direct talks with the major banks, trust companies and title insurance companies. These institutions have looked at the regulations and been involved in the drafting process. The banks are very supportive that there will be a legal basis for the land tenure system under First Nation land codes. Several of the land title insurance companies are also interested in doing business on reserve once the regulations come into effect.

The draft land registry regulations were completed in November of 2005 and are being processed through the federal system. The new regulations are scheduled to come into effect in April 2007. Training will take place for land managers at INAC regional offices so that users will be able to train with the actual system interface. First Nations will have the option of using either a paper based system or an electronic system. The electronic system is web based and very similar to placing an order at on-line retailer: identify the user, complete the application to register or record, press "enter"; and scan or mail actual documents to INAC. Once the application is accepted electronically, a registration number is returned by e-mail. If the documents are as described in the application, that registration number is the final registration number. There is no cost for registering or recording any documents. The system is ready to go but cannot be used until the regulations are in place.

9. NATIONAL PARTNERSHIPS

9.1 Ongoing Relationship with Professional Organizations

One of the LAB's earlier priorities was the creation of ongoing relationships with professional organizations. The RC was directed by the LAB to begin dialogues with the Federation of Canadian Municipalities, the Indian Taxation Advisory Board (ITAB) and the National Aboriginal Lands Managers Association (NALMA). These discussions led to protocol agreements with the last two professional organizations. The intent in both cases is to build support networks for signatory First Nations and to begin to formally develop training and capacity building.

9.2 Municipal Aboriginal Issues Network (MAIN)

The Centre for Municipal Aboriginal Relations (CMAR) was established in 1997 through a Memorandum of Understanding (MOU) between the Federation of Canadian Municipalities and the Indian Taxation Advisory Board. The primary focus of CMAR was on local servicing agreements between First Nations and adjacent municipalities. Although CMAR was founded on solid principles, the Centre could not be sustained due to a number of factors.

Representatives of the LAB, ITAB, First Nations Finance Authority (FNFA) and Federation of Canadian Municipalities (FCM) met a number of times in the fall of 2004 to discuss the re-establishment of a body similar to CMAR. Out of these discussions it was agreed to seek funding for the development of an MOU between municipalities and national Aboriginal groups to be known as the Municipal Aboriginal Issues Network (MAIN).

The concept of MAIN expands the idea of the CMAR by going beyond a single issue with a structure flexible enough to build on the principle of working together with more partners and in particular involving urban aboriginal issues. It does not foresee a 'bricks and mortar' operation, but rather a virtual network with little administrative overhead. The main expense of the forum will be to bring policy makers together to discuss the common interests.

Proposals were drawn up by the FNFA and the FCM and presented to INAC and the Privy Council Office. Funding was obtained to hold three meetings to develop an MOU between the parties. The first two meetings were administered by the FNFA and the third meeting by the FCM.

At the initial meeting the potential partners to MAIN exchanged views on how MAIN could meet their specific interests. It was agreed by the partners to develop an MOU setting out the structure for MAIN and the expectations of the partners. It was felt that the partners should meet at least twice a year and that groups of partners would benefit from developing joint projects that would be supported by the network. The MOU and potential projects were discussed at the second and third meetings.

The current partners in this network include: LAB, FCM, ITAB, FNFA, the Financial Management Board, First Nations Statistics Board, INAC, Privy Council Office, National Aboriginal Housing Association, National Association of Friendship Centres and the Canadian Institute of Planners.

9.3 Federation of Canadian Municipalities, National Aboriginal Land Managers Association and the Indian Taxation Advisory Board

The LAB has always considered the improvement of Aboriginal –municipal relations to be a high priority. Since the inception of the Framework Agreement, First Nations have felt they needed the authority, recognition and ability to build and maintain their own direct relationships with municipal and provincial governments without restrictions imposed by the *Indian Act*. The Framework Agreement effectively removes INAC as the decision making authority over reserve lands and resources. This fundamental and significant change has put increasing emphasis on the need to coordinate land use planning and law development between First Nations and their municipal neighbors.

Much of the work between the LAB and the Federation of Canadian Municipalities (FCM) has been undertaken through the Land Management Project (LMP), which began in 2004. This project is managed by FCM, in cooperation with the National Aboriginal Lands Managers Association, the Lands Advisory Board, the Indian Taxation Advisory Board, and Indian and Northern Affairs Canada.

The objective of the project is to enhance communication and encourage relationships between neighbouring First Nations and municipal governments in matters of land management and, secondly, in economic and social development. The approach has been to invite municipal, First Nations and federal government officials together to discuss challenges, improve communication and to discuss particular instances where there have been successes in relations. The strategies, insights and valuable case studies from these sessions have been compiled and reproduced in a land management toolkit and resource guide. It is hoped that this publication and through further joint work with the project partners, respect and understanding of respective jurisdictions and challenges will be achieved.

Some case studies have shown that pooling assets, municipal governments and First Nations can sustain and make improvements to existing infrastructure and their local economy. Joint initiatives can reduce costs associated with service provision, promote economic development and build capacity for both First Nations and municipal governments. The LAB and RC are proud to be a part of this important project.

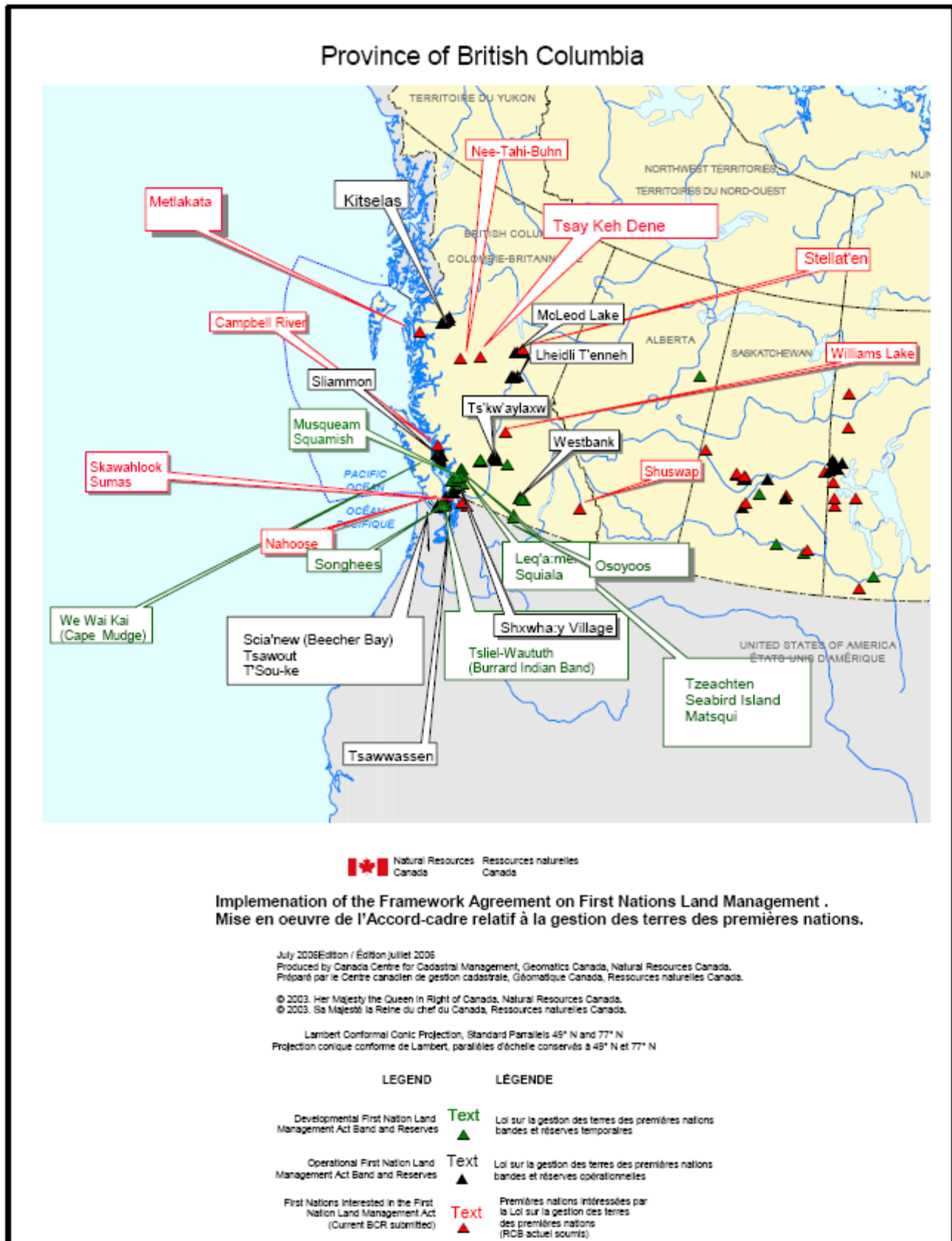
In fiscal year 2006-2007, there were seven (7) workshops held across the country, the Lands Advisory Board, through its membership and technical staff participated at a number of workshops including those held in Kenora and Parry Sound (Ontario), Brandon (Manitoba), Prince Albert (Saskatchewan), and Prince George (British Columbia).

Current Status

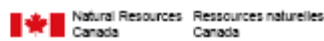
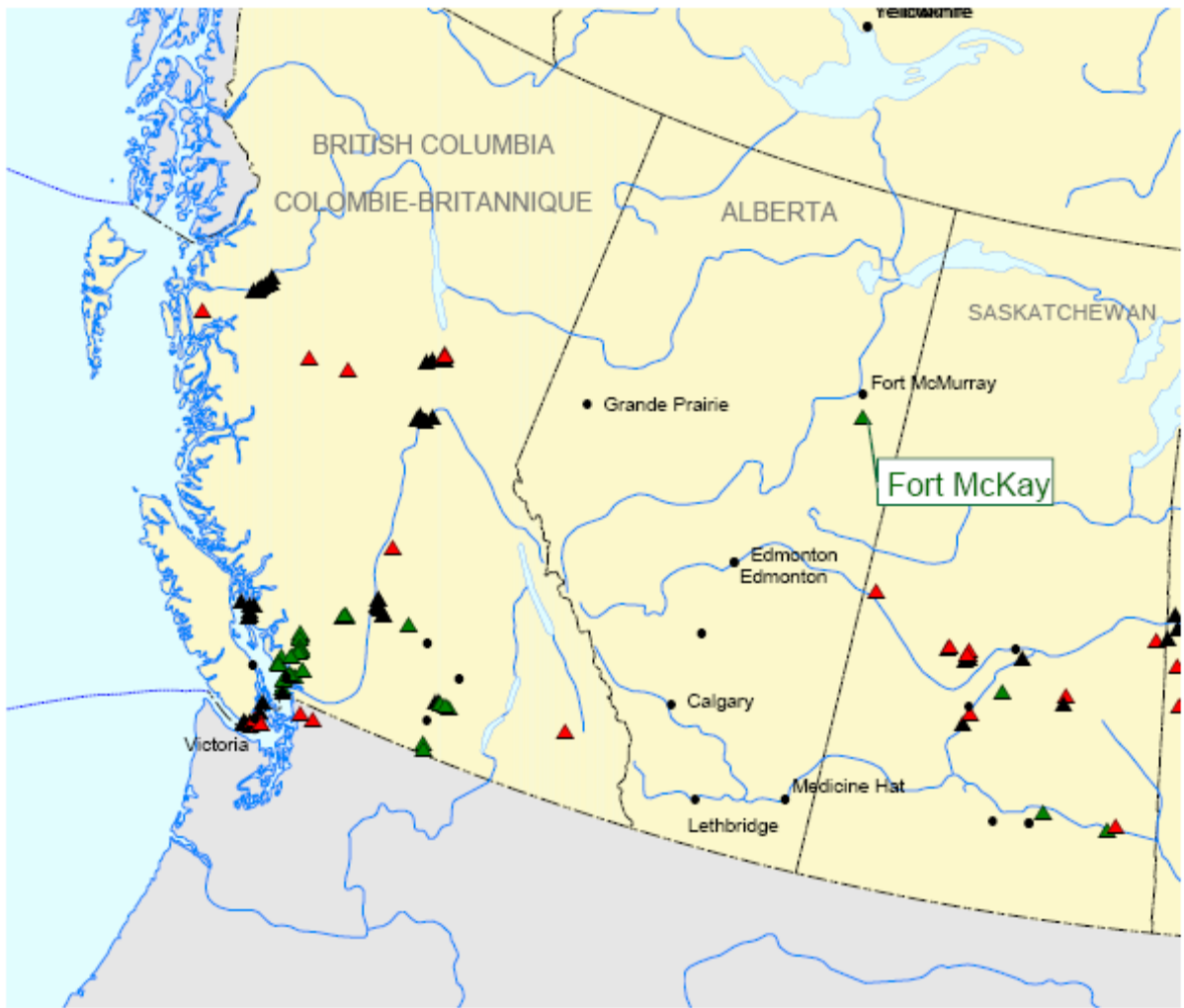
The third phase of the Land Management Project (LMP) ends on March 31st 2007. Since its inception, the LMP has been funded on a yearly basis.

The aforementioned project partners of the LMP met in early January 2007. They concluded that Phase Three has largely been successful and, as such, considerable consensus was reached on what a Phase Four could encompass in terms of both deliverables and desired outcomes. A proposal for Phase Four, to continue this partnership was submitted to and approved by Indian and Northern Affairs Canada.

Appendix A: First Nation Locations



Province of Alberta



**Implementation of the Framework Agreement on First Nations Land Management .
 Mise en oeuvre de l'Accord-cadre relatif à la gestion des terres des premières nations.**

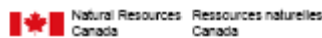
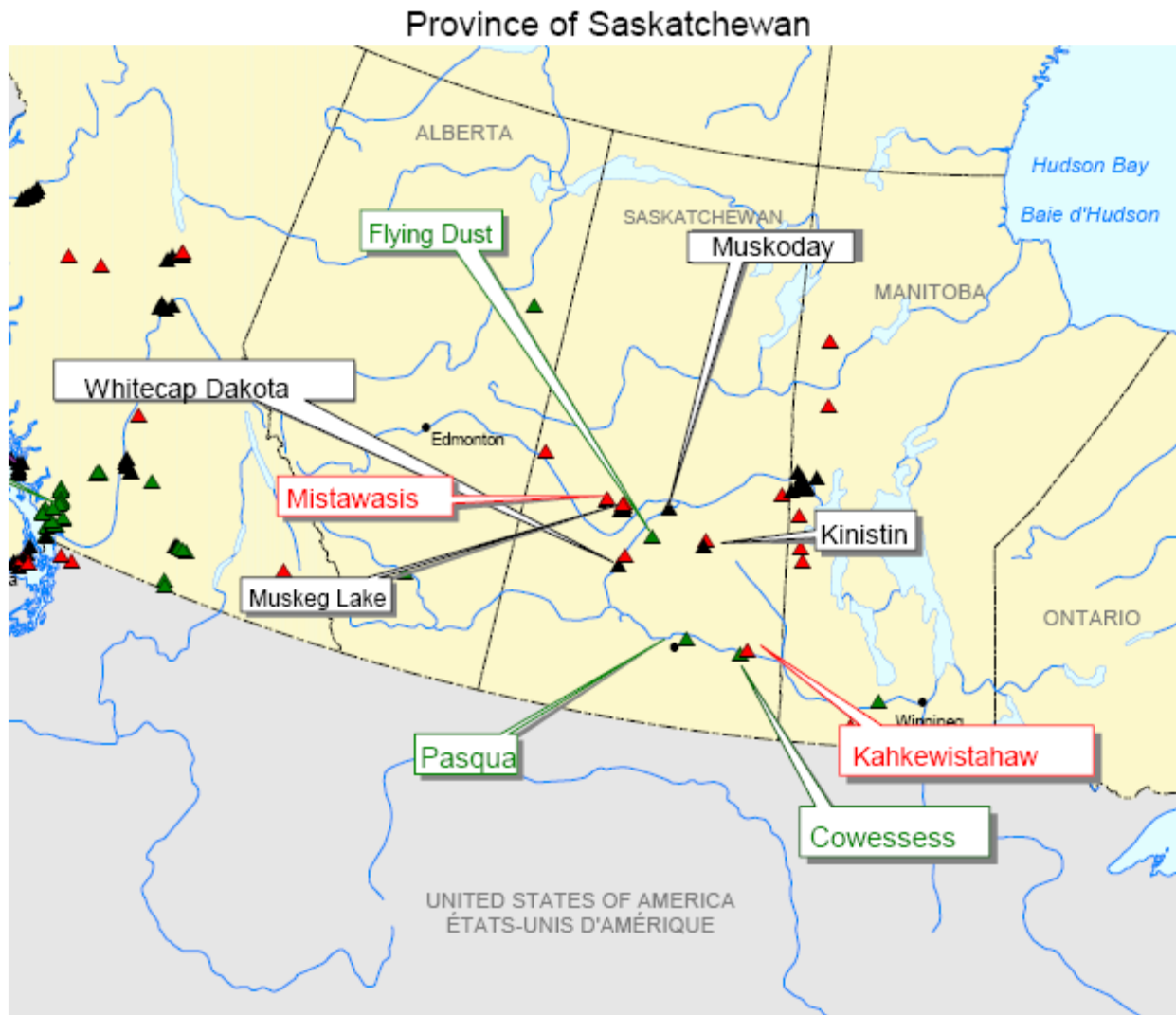
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LEGEND LÉGENDE

<p>Developmental First Nation Land Management Act Band and Reserves</p> <p>Operational First Nation Land Management Act Band and Reserves</p> <p>First Nations Interested in the First Nation Land Management Act (Current BCR submitted)</p>	<p>Text ▲</p> <p>Text ▲</p> <p>Text ▲</p>	<p>Loi sur la gestion des terres des premières nations bandes et réserves temporaires</p> <p>Loi sur la gestion des terres des premières nations bandes et réserves opérationnelles</p> <p>Premières nations intéressées par la Loi sur la gestion des terres des premières nations (RCB actuel soumis)</p>
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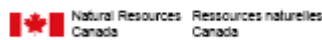
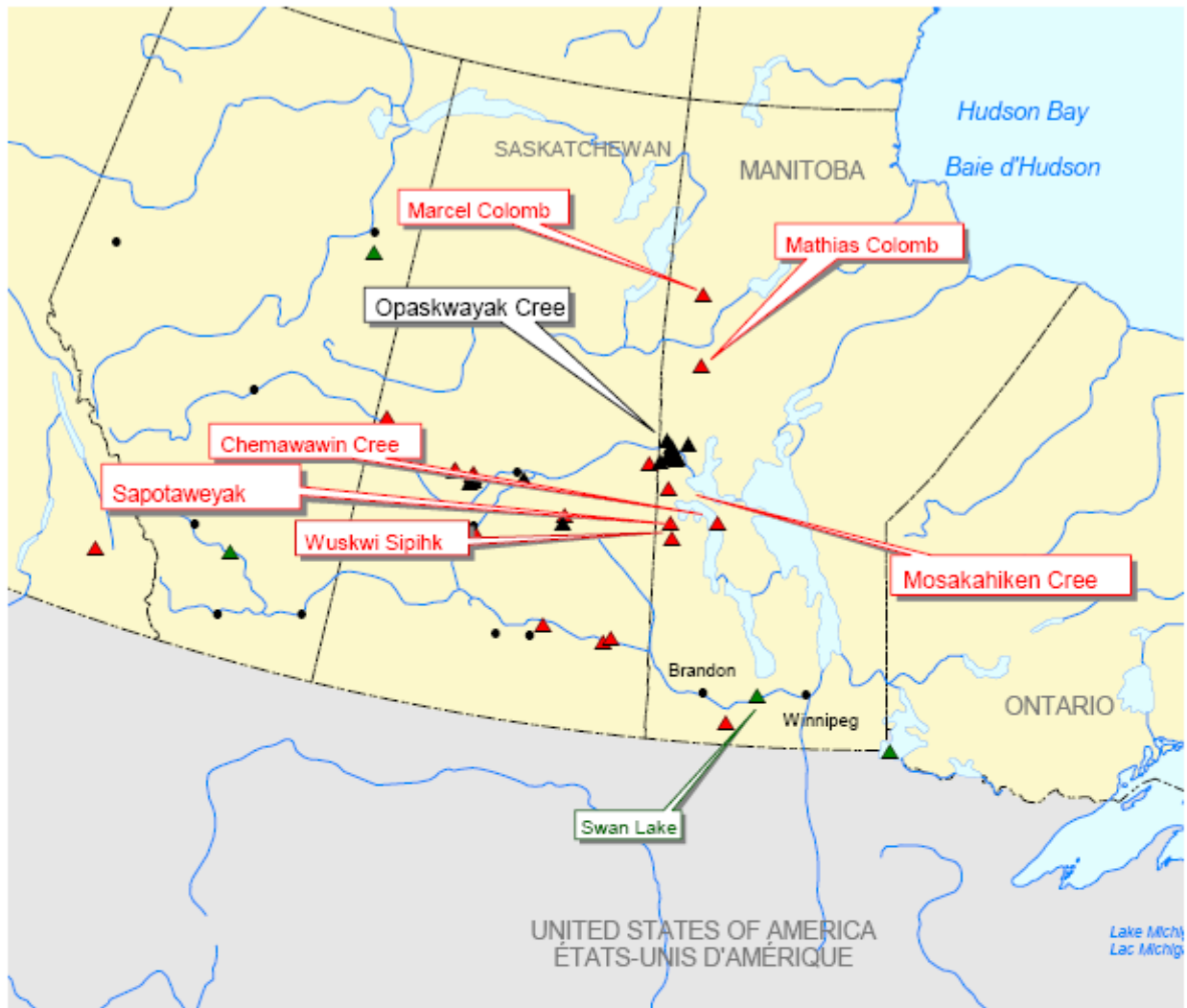
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LEGEND

LÉGENDE

Developmental First Nation Land Management Act Band and Reserves	Text ▲	Loi sur la gestion des terres des premières nations bandes et réserves temporaires
Operational First Nation Land Management Act Band and Reserves	Text ▲	Loi sur la gestion des terres des premières nations bandes et réserves opérationnelles
First Nations Interested in the First Nation Land Management Act (Current BCR submitted)	Text ▲	Premières nations intéressées par la Loi sur la gestion des terres des premières nations (RCB actuel soumis)

Province of Manitoba



Implementation of the Framework Agreement on First Nations Land Management . Mise en oeuvre de l'Accord-cadre relatif à la gestion des terres des premières nations.

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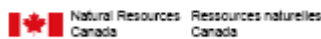
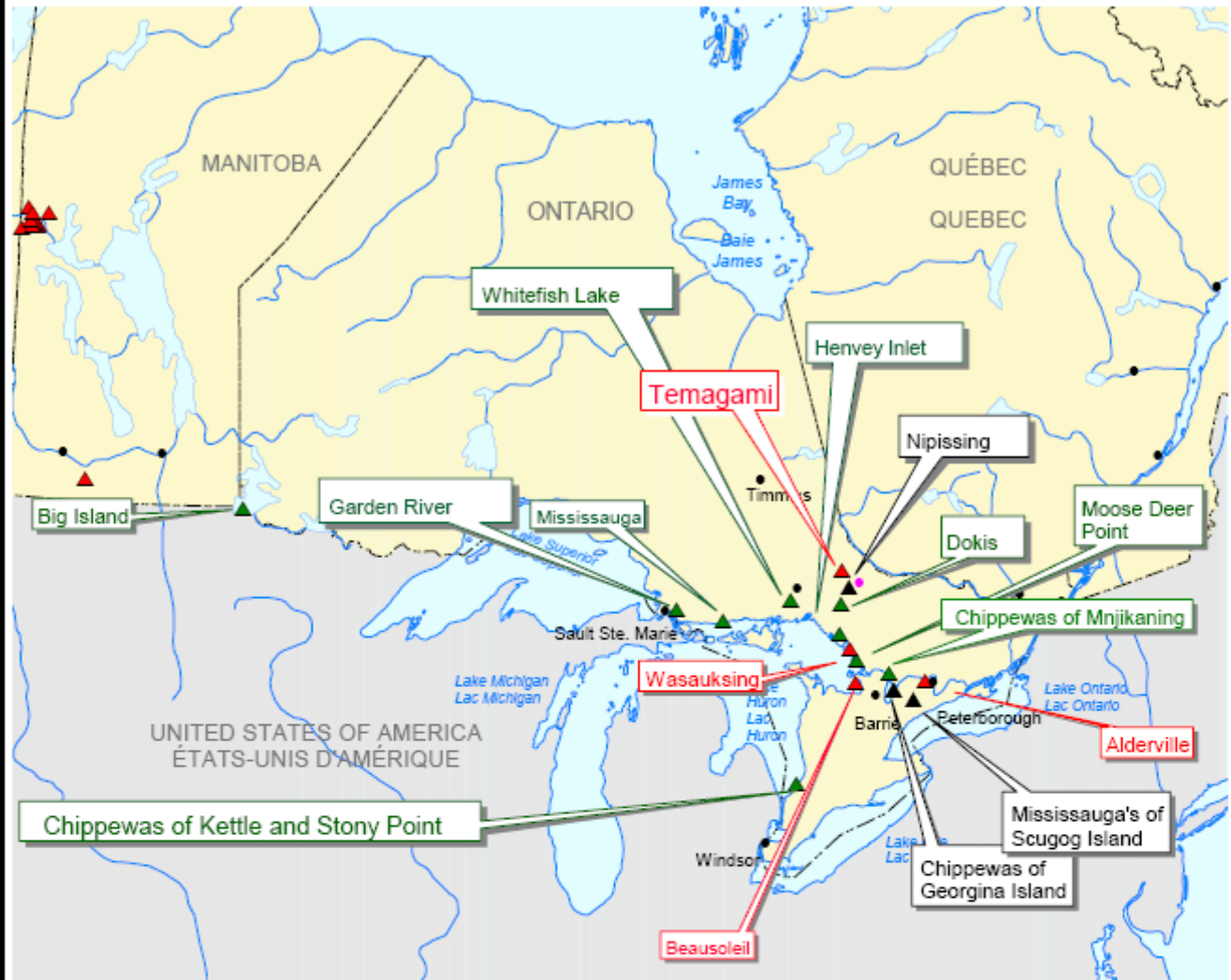
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LEGEND

LÉGENDE

- | | | |
|--|---|--|
| Developmental First Nation Land Management Act Band and Reserves | ▲ | Loi sur la gestion des terres des premières nations bandes et réserves temporaires |
| Operational First Nation Land Management Act Band and Reserves | ▲ | Loi sur la gestion des terres des premières nations bandes et réserves opérationnelles |
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Province of Ontario



Implementation of the Framework Agreement on First Nations Land Management . Mise en oeuvre de l'Accord-cadre relatif à la gestion des terres des premières nations.

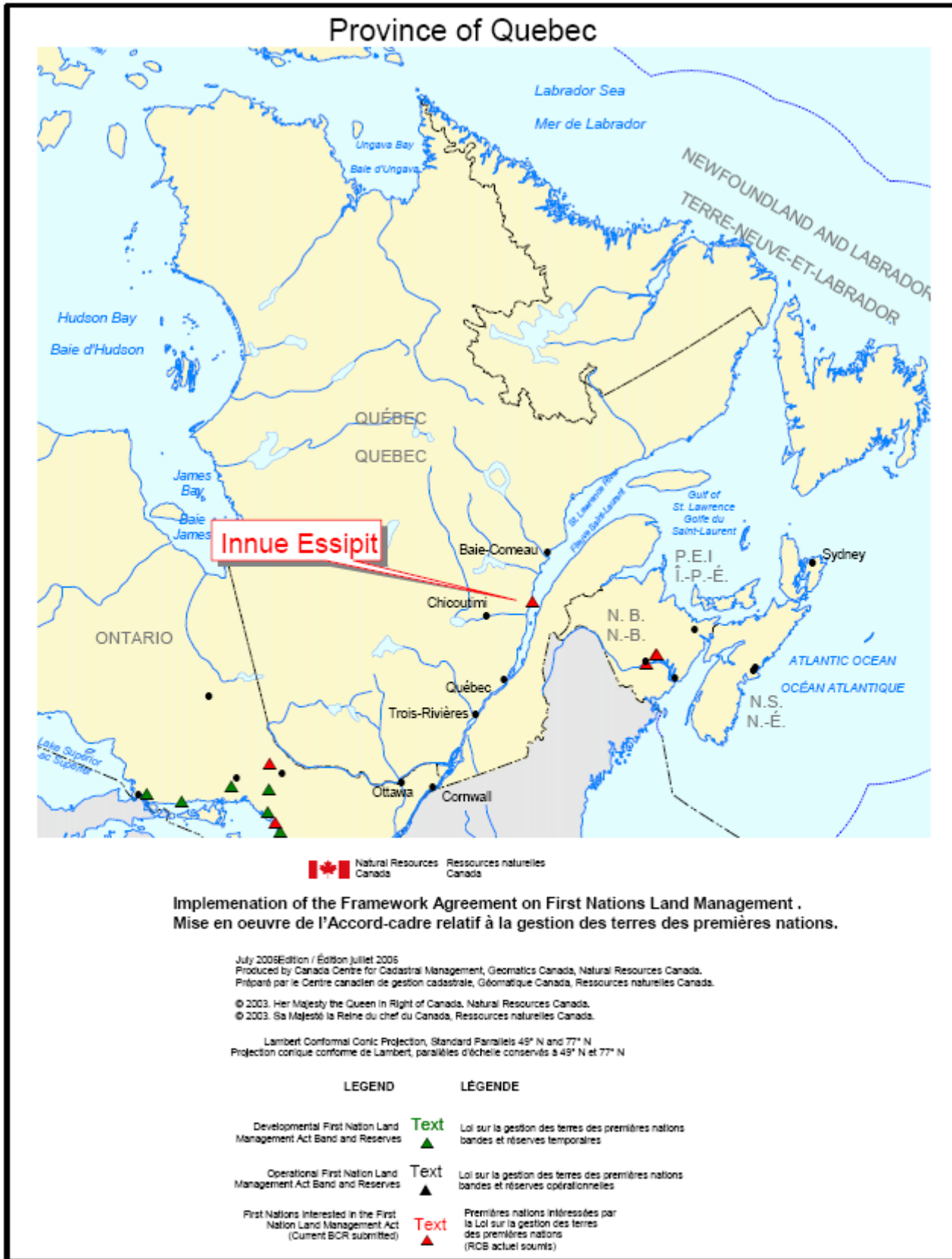
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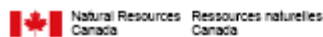
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LEGEND / LÉGENDE

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Atlantic Provinces



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LEGEND

LÉGENDE

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Appendix B List of Exhibits

Exhibit 1	Options for First Nations Before the Framework Agreement
Exhibit 2	Options for First Nations After the Framework Agreement
Exhibit 3	Signatories to the Framework Agreement as of March 31, 2007
Exhibit 4	Structure of the Lands Advisory Board and Resource Centre
Exhibit 5	LAB Mandate and Strategic Focus
Exhibit 6	Structure of the Resource Centre
Exhibit 7	Quarterly Support Services to Operational First Nations
Exhibit 8	Logic Model for the First Nation "Ratification" Process under the Framework Agreement
Exhibit 9	Quarterly Support Services to Developmental First Nations
Exhibit 10	Quarterly Support Services to Each Developmental First Nation
Exhibit 11	Support Services to Developmental First Nations by Province
Exhibit 12	Operational and Developmental First Nations by Province

Appendix C: Lands Advisory Board 2006-2007 Annual General Meeting

Agenda

DAY 1: THURSDAY, 23 NOVEMBER 2006

- 8:30 – 9:00 am *Continental breakfast*
- 9:00 – 9:05 am **Elder's opening prayer**
- 9:05 – 9:10 am **Chief Sharon Stinson Henry, Chippewas of Mnjikaning First Nation**
- [1] Welcome from Chippewas of Mnjikaning First Nation
- 9:10 – 9:15 am **Chief Brett Mooney, Georgina Island First Nation**
- [1] Welcome from our host community
[2] Introductions
- 9:15 – 9:30 am **Chief Robert Louie, Chair, LAB & Chief Austin Bear, Chair, Resource Centre**
- [1] Opening comments
[2] Finalize the AGM agenda
- 9:30 – 12:00 pm **Reports & discussions:**
- [1] LAB Regional meetings
[2] Meeting with the Deputy Minister [Nov. 13]
[3] Meeting with the Assistant Deputy Minister [Nov. 21]
[4] LAB 2005-2006 Annual Report
[5] LAB 2006-2007 Annual Report format & content
[6] 2005-2006 BDO Dunwoody audit
[7] INAC/KPMG audit recommendations
- 12:00 – 12:45 pm *Lunch*
- 12:45 – 4:00 pm **Presentations & discussions:**
- [1] Draft LAB 2007 – 2013 Strategic Plan
[2] Director Compensation Study
[3] Discussion of 2006-2007 LAB/RC work plan
[4] Recommendations for the 2007-2008 LAB/RC work plan
- 4:00 – 5:00 pm **Resolutions**
- 5:00 pm **Closing comments: Chief Louie & Chief Bear**

DAY 2: FRIDAY, 24 NOVEMBER 2006

- 8:30 – 9:00 am *Continental breakfast*
- 9:00 – 9:15 am **Opening comments: Chief Louie & Chief Bear**
- 9:15 – 12:00 am **Amendment # 4 to the *Framework Agreement*,
[to make it both bilingual and bijural]**
- 12:00 – 12:45 pm *Lunch*
- 12:45 – 3:00 pm **Topics for discussion:**
- [1] Dispute Resolution under the *Framework Agreement*
 - [2] Past Operational Funding Reductions
 - [3] Lack of an Environmental Management Agreement (EMA) & Environmental Assessment Process (EAP)
 - [4] Land Registry Regulations status
 - [5] Matrimonial real property laws & new INAC process
 - [6] Operational Funding Report & Delsys Report
 - [7] 2007-2008 INAC five-year renewal process
 - [8] Adding First Nations to the *Framework Agreement*
 - [9] JIC Protocol Agreement with INAC
 - [10] JIC meeting December 2006
- 3:00 – 4:00 pm **Roundtable discussion**
- 4:00 – 5:00 pm **Resolutions**
- 5:00 pm **Closing comments: Chief Louie & Chief Bear**

DAY 3: SATURDAY, 25 NOVEMBER 2006

- 8:30 – 9:00 am *Continental breakfast*
- 9:00 – 9:15 am **Opening comments: Chief Louie & Chief Bear**
- 9:15 – 11:30 pm **Discussion with Quebec First Nation Innu Essipit**
- 11:30 – 11:45 am **Resolutions**
- 11:45 – 12:00 pm **Closing comments: Chief Louie & Chief Bear**
- Elder's closing prayer**
- 12:00 – 12:45 pm *Lunch*

Resolutions

The resolutions, passed at the LAB 2006-2007 Annual General Meeting, included the following:

1. The LAB approves, as a special procedure for this Annual General Meeting in 2006, that the Chiefs or proxies of the operational First Nations in attendance shall have a vote on all resolutions.
2. The LAB confirms the Finance Committee's approval of the BDO Dunwoody LLP audit of the financial statements for the fiscal year 2005-2006.
3. The LAB directs the Chairman of the Finance Committee to finalize an action plan based on the KPMG audit recommendations and, further, that no part of any action plan shall be approved that will undermine the spirit and intent of the Framework Agreement, specifically with reference to funding of the LAB, or permit any INAC official to micro-manage or direct any of the functions of the LAB, the Finance Committee or the Resource Centre.
4. The LAB accepts the Director Compensation Study prepared by Western Management Consultants, in cooperation with Ray & Berndtson, which indicates that LAB/RC members, directors, Chairs and the Executive Director could be reasonably and justifiably compensated, in the aggregate, at higher levels than they are presently.

Further, that the LAB accepts and confirms that the compensation currently paid to the LAB/RC members, directors, and Chairs shall remain as presently fixed, at their request;

Further, that Operational Chiefs or their proxies attending meetings be compensated at the current level; and

That the Finance Committee shall undertake a further review and consultation with respect to the Executive Director's compensation package and negotiate and set that compensation.

5. The Finance Committee and the Chair will encourage First Nations to provide Western Management Consultants with any additional feedback to the LAB 2007 - 2013 Strategic Plan by December 8;

That the LAB directs the Finance Committee to coordinate an update of the 2003 RC Organization Review to make it current and consistent with the LAB 2007 - 2013 Strategic Plan; and

Further, that the Finance Committee be authorized to retain an independent firm, such as Ray & Berndtson, to work with Western Management Consultants to complete this work within a time frame acceptable to the Finance Committee;

And, for greater certainty and consistent with the role of the LAB under the Framework Agreement, this is an LAB/RC project and not an INAC project or a joint project with INAC.

6. The LAB directs that the members of the LAB sit as a committee of the whole to produce, by March 15, 2006, a range of options and plans for an Economic Development Conference or conferences to be held in fiscal year 2007-08;

Further, that the Finance Committee include a budget item for an appropriate funding amount in the LAB/RC work plan and CFA for 2007-08 to hold such conference or conferences; and

Further, that the Finance Committee seek an amendment to the CFA 2006-07 to cover the initial LAB/RC costs of planning for the economic development conference or conferences and the implementation of this resolution in this fiscal year.

7. The LAB approves and endorses Amendment No. 4 to the Framework Agreement on First Nation Land Management that will add a literal French translation of the Agreement, as amended to date, and add bijural terminology to the English and French texts. This approval and endorsement is, and is intended to be, entirely consistent with the BCR's passed by the operational First Nations in support of Amendment No. 4.
8. The LAB directs the Finance Committee to ensure that the LAB/RC are fully indemnified by Canada with respect to any and all costs incurred, or to be incurred, in 2006-07 and subsequent years with respect to Amendment No. 4 to the Framework Agreement, including work and costs necessary to protect the Framework Agreement in this process.
9. The LAB directs the Executive to ensure that the Framework Agreement and all amendments are properly deposited in the departmental library of INAC, as directed by the First Nations Land Management Act.
10. The LAB directs the Executive to ensure that original copies of all adhesion documents are delivered to the Lands Advisory Board by INAC, as required by the Framework Agreement .
11. The LAB supports the principle that all First Nation signatories to the Framework Agreement are parties and have access to dispute resolution pursuant to the Agreement and directs the Executive to take any and all necessary steps to establish, or to support First Nation parties in establishing that principle.
12. The LAB directs the Executive to undertake and review, in conjunction with the First Nations, INAC compliance with the provision of existing Individual Agreements and to report to, and make recommendations to, the First Nations and to the Minister in relation to the Individual Agreements, past and future.
13. The LAB directs the Executive to explore and implement, with the First Nations and with INAC, a case management approach to dispute resolution to facilitate timely and efficient access by First Nations to dispute resolution under the Framework Agreement.
14. The LAB directs the Executive to initiate, to support a First Nation in initiating, or to act on behalf of a First Nation at its request in initiating dispute resolution or any other remedial process in relation to achieving compliance with the Environmental Management Agreement, Environmental Assessment Process, and provisions of the Framework Agreement.

15. The LAB directs the Executive to ensure that no federal measures, legislative or otherwise, interfere with or encroach upon the jurisdictional rights, obligations and prerogatives of signatory First Nations under the Framework Agreement to enact laws in relation to matrimonial real property on reserves. Further, that no federal action in relation to the FNLMA, or by way of any other legislation, will be permitted to amend unilaterally the Framework Agreement.

16. That the Executive explore options and report to First Nations on optimal and effective approaches to dispute resolution for those operational First Nations whose operational funding has been cut back by INAC in recent years; and

Further, that the Executive explore and report to the First Nations by January 15, 2007 upon options for the LAB/RC to support the First Nation in such dispute resolution.

17. The LAB regards the Operational Funding Review conducted by Donna Cona as incomplete and insufficient;

Further that LAB directs the Executive to pursue further review and investigation of the needs of operational First Nations in terms of operational funding; and

Further, that the Executive pursue the possibility of case studies, as per regional resolutions, that will assist in providing better data about operational funding needs.

18. The LAB expresses strong disapproval of the Operational Funding Review process, conducted on short notice and within a constricted time frame because of INAC's representation that a report was needed urgently so that a new funding formula could be available for 2007-2008;

Further, the LAB expresses strong disapproval for INAC's subsequent decision to defer that funding for another year; and

That the Executive be directed to secure increased operational funding for fiscal year 2007-2008.

19. In relation to the proposed five-year renewal process for the Framework Agreement, the Executive ensure that this is an independent process conducted by a competent individual or firm, hired pursuant to a tendering process that includes the LAB/RC based on terms of reference and final selection be acceptable to the Executive. References specifically should be made to Sections 29, 30, 31, 39 of the Framework Agreement.

20. In view of the fact that, INAC has not funded any capacity building and professional development for First Nations during the past two fiscal years; and

Further, that such funding of capacity building and professional development are a priority for First Nations and assured under the Framework Agreement;

The Executive is directed to take immediate steps to secure funding in the amount of at least \$500,000 for capacity building and professional development in 2007-2008 and to explore all possible remedies for omissions to date.

21. The Protocol Agreement for the Joint Implementation Committee be amended to establish an Executive Committee consisting of the Deputy Minister, the Assistant Deputy Minister, Chair of LAB, and Chair of RC;

Further, that the membership of the JIC for working meetings be constituted differently than currently set out in the JIC Protocol;

Further, that the JIC Protocol be rejected if these changes are not made; and

Further, that the Executive be directed to effect such other changes as advised if there is to be a future JIC Protocol.

22. The LAB and operational First Nations support the Squamish Nation in their efforts to achieve an Individual Agreement and encourage Canada to work more expeditiously and effectively to that end; and

That the LAB and operational First Nations recognize that other developmental First Nations have encountered similar problems, some for a period of years, and insist that Canada take immediate remedial action in those cases too.

Appendix D: 2006-2007 Audited Financial Statements

The LAB Annual Report is due June 30 of each fiscal year, in accordance with the Framework Agreement. The audited financial statements are due July 31. The financial statements are posted annually on the LAB website at www.labrc.com.



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