

Summary of Our Individual Agreement



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Long Lake #58 members have a chance to vote on whether or not to take over land management on reserve from Indigenous and Northern Affairs Canada (INAC). If our members approve our Land Code and Individual Agreement, the 34 land-related sections of the Indian Act will no longer apply to our reserve lands. Long Lake #58 would take over land management. INAC would retain liability for land management decisions and environmental issues prior to the Land Code. The Individual Agreement is an important part of our Land Code process because it is an agreement between Canada and Long Lake #58 that sets out the details of what will happen if we approve our Land Code. The Individual Agreement has 12 sections and 7 attached documents which are called “Annexes”.

Contents of Our Individual Agreement

1. Interpretation

Section 1 defines the terms that are used in the Individual Agreement, including identifying the reserve lands that will be transferred.

2. Information Provided by Canada

Since INAC would retain liability for land management decisions and environmental issues prior to the Land Code, section 2 confirms that Canada has provided Long Lake #58 with all of the information in its possession regarding dispositions of reserve lands, environmental issues on reserve lands and any similar information. Land interests and dispositions are set out in Annex “C”. The information collected during the Phase I Environmental Site Assessment (ESA) that was conducted in late 2014 and early 2015 is summarized in Annex “D”. The ESA identified these areas of potential environmental concern:

- School (elementary, adult education & daycare) – potential contamination of fuel/oils/chemicals/PCBs in soil and groundwater.
- Church (abandoned) – potential contamination of fuel/oils/metals/chemicals (including formaldehyde and dioxins/furans) in soil and surface/groundwater, and asbestos (in building). Confirmed fuel/ oil contamination in soil.
- Gas Station – potential contamination of fuel in soil and groundwater.
- CN Railway line and bridge – potential contamination of fuel/oils/chemicals/metals and PCBs in soil, groundwater, surface water and sediment.
- “Rock cuts” – potential contamination of fuel/oils/chemicals/metals and PCBs in soil and groundwater.

- Shoreline – potential contamination of metals in groundwater, surface water and sediment.
- Highway 11 – potential contamination of fuel/oils/pesticides in soil, groundwater, surface water and sediment.

3. Transfer of Land Administration

Section 3 states that Canada will transfer the management and control of reserve land to Long Lake #58. Long Lake #58 will then begin managing and controlling the reserve land and natural resources under the Land Code.

4. Acceptance of Transfer of Land Administration

Section 4 transfers all of Canada's rights, obligations, powers and authorities in or under all previous interests or licenses affecting reserve lands to Long Lake #58. The land management sections of the *Indian Act* will no longer apply to our reserve land.

5. Operational Funding

Section 5 commits Canada to provide funding and resources for managing reserve lands. The Memorandum of Understanding on Funding (October 19, 2011) outlines the funding amount \$204,536 for the first fiscal year, and is also set out in Annex "A".

6. Transfer of Revenues

Section 6 requires Canada to transfer to the Long Lake #58 any monies that it holds in trust for the use and benefit of the Long Lake #58 and any revenues it receives from reserve lands. The initial transfer amount is set out in Annex "B".

7. Notice to Other Persons

If our members vote in favour of our Land Code, we must notify all non-members within 30 days, who have a legal interest in Reserve lands (such as a lease), that we are taking over management of our lands, and will collect revenue from those interests in the future.

8. Interim Environmental Assessment Process

Section 8 states that until Long Lake #58 establishes its own Environmental Assessment process, the *Canadian Environmental Assessment Act* will apply. The procedure for Environmental Assessments during this time is set out in Annex "F".

9. Amendments

Section 9 states that the Individual Agreement can be amended if it is done in writing collectively by Canada and Long Lake #58.

10. Notices

Section 10 just sets out how Canada and Long Lake #58 will contact each other in the future for sending formal letters or notices.

11. Dispute Resolution

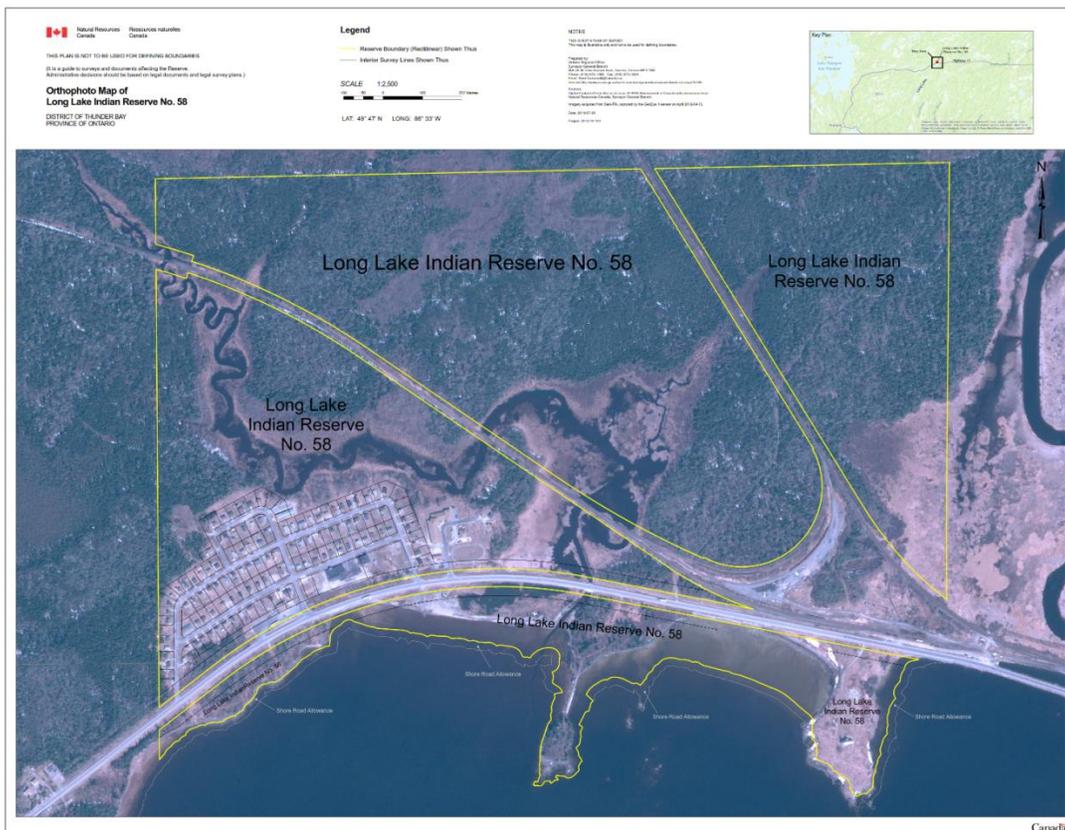
Section 11 confirms that the dispute resolution process from the *Framework Agreement* applies to any disputes between Canada and Long Lake #58 regarding the Individual Agreement.

12. Date of Coming Into Force

The Individual Agreement will come into force at the same time as our Land Code.

13. Annex “G” Legal Description of Long Lake Indian Reserve No. 58

Reserve Lands within the Province of Ontario, Canada, more particularly described as: Long Lake Indian Reserve No. 58, District of Thunder Bay, all as shown on Plans 65135 CLSR and 105310 CLSR recorded in the Canada Lands Surveys Records at Ottawa; the herein described land containing 231 hectares (571 acres).



For more information, or to read the full Individual Agreement, go to www.longlake58fn.ca

Land Code Information

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Voting Information

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