



Mississauga First Nation

Lands and Resources

Annual Report

2010



Message from the Lands and Resources Portfolio Holder

Ahnee/Boozhoo,

This report is a summary in which the Lands and Resources unit has progressed through the guidance and direction of the Mississauga First Lands and Resources Committee and the leadership of our elected Council. This year has brought many challenges and dialogue to the table of our Committee but through discussion and information provided to us, we were able to move forward and focus on creating a mandate that we feel has put our community to the forefront once again.

As the Portfolio Holder and lobbyist to the Committee, I have been given the task of Chair and networking with various political organizations and government departments to advocate on behalf of Mississauga First Nation to ensure that the mainstream movement that affects our community is highlighted and addressed. With the constant changes in government legislation and industry, keeping abreast has been a tedious task in attending meetings and when needed, challenging the issues to ensure that our cultural and traditional values are respected. If the voice is not there to advocate on our behalf, you can be assured that they (government/industry) will move on irregardless if we are there or not.

One key point of interest when we are meeting on sensitive issues is the impact and effects that our decisions will have on the community and membership – both on and off reserve. We all have family members who for whatever reason choose to live off-reserve and their interests have been highlighted in all our discussions and decisions. The capacity and resources to meet with these individuals has been a struggle for us as a Committee and we are trying to be more creative with the use of our technical resources such as computer, newsletter and telephone.

In the interim, we encourage all our members to keep in touch with use by whatever means possible, whether it is by telephone, e-mail or coming to our monthly meetings – which are open to the public. The technical staff are very informed and the best in their field to discuss issues/concerns that may arise.

In closing, I would like to thank and commend the lands and Resources Committee and the staff for their dedication and commitment in ensuring that Mississauga First Nation is in good hands. This past year, the team has gone beyond the call of duty to ensure that the best interests of Mississauga First Nation were at the forefront of their discussions and decisions. The community has clearly stated that transparency and accountability is the focal point if we are going to move ahead in a productive manner. They have made my job as Portfolio Holder an exciting adventure. The upcoming year I project is going to be another exciting year for Mississauga First Nation as we continue to pursue new ideas and projects, now that we have a clear mandate.

If you have any ideas that you would like to share, the door is always open.

Meegwetch, Roger Daybutch, Councillor, Lands and Resources Portfolio Holder

Message from the Lands and Resources Program Manager

Greetings All,

It gives me great pleasure to share with you on the development of the Mississauga First Nation Lands and Resources Program through providing an overview and to solicit your thoughts as we move towards a new Lands Management regime. It is hoped that this Annual Report will provide you with an update on our program and what a Land Code is all about. I encourage all of our members to read the June 2, 2009 Mississauga First Nation Land Code as this is our instrument on Lands Management.

July 18, 2009 was a very significant day for Mississauga First Nation as this was the day our membership had decided that a change was in order as to who will manage our lands. Prior to July 18, 2009, the federal government through the office of the Department of Indian and Northern Affairs Canada had the mandate to oversee all initiatives and development for our lands. When our membership voted on the Land Code, you were voting on how Mississauga First Nation would manage 0.16 acres of "registered lands" in the Indian Lands Registry System. Since the ratification of the Land Code, through Chief and Council support upon recommendation of the Lands and Resources Committee, a Land Law was passed that would allow the 1994 Land Settlement Area be added to the Land Code through a mechanism called the Addition to Reserve (ATR) process. Currently, this process is still at the federal government level and should receive final passing shortly.

Presently, our Lands and Resources Program is working on mandatory components of the Land Code as part of this process. Such components are the Matrimonial & Real Property Law and an Environmental Management Agreement. These are only a few laws/agreements that we will be developing under the guidance of the Lands & Resources Committee, Chief & Council and our Membership. In addition our program will be establishing and maintaining a Lands Registry system for our community. This has begun through the means of a "Temporary" Land Use Permit of which many of our members had obtained to establish a personal lot for a Recreational Camp. Once our administration and other necessary lands registry instruments are final, we can then register these with the Indian Lands Registry as legal documents.

With a Land Code, Mississauga First Nation through community consultations can now establish laws and systems in the areas of Legal Surveys, Environmental Protection, Matrimony & Real Property, Hunting and Fishing and Forestry. Before any of these become final we must consult with you, our membership for input as this your land and we all must manage it for the future and benefit of our next generations together.

Again, please review this Annual Report and feel free to contact our office with any thoughts and concerns on our directions in Lands Management.

Keith Sayers-Lands and Resources Program Manager

ANNUAL REPORT

LANDS AND RESOURCES DEPARTMENT

The Mississauga First Nation Land Code was finalized on June 2, 2009, ratified on July 18, 2009 and became effective on October 19, 2009. The Order-In-Council for the land claim of 16,075.095 hectares occurred on March 25, 2010.

The Band Council Resolution appointing the Lands and Resource Committee was signed on October 21, 2009. The term runs from October 21, 2010 to October 20, 2014. The appointees are as follows:

Glen Morningstar
Earl Niganobe
Ray Morningstar
Mitchel Cada
Bradley Morningstar
Lorraine Cada
Donna Hoeberg
Julia Morningstar

Roger Daybutch, Portfolio Holder and Councillor

The Lands and Resources Committee acts as an advisory to the Lands and Resources Department and thereby makes recommendations to Chief and Council.

Ruth Bobiwash accepted the position as Lands Technician and began on November 23, 2009.

The Lands and Resources Committee Terms of Reference Goal Statement reads as follows: "To ensure that the Reserve land belonging to Mississauga First Nation is for the use of Mississauga First Nation members, that the land mass be protected and that the cultural and traditional values of the Mississauga First Nation people will be the mainstay of land issues and matters". These Terms of Reference were accepted and passed by Chief and Council on May 20, 2010.

There have been numerous requests for Land Use permits which were approved by Chief and Council and processed.

In the latter part of 2009, three items of interest were brought the Committee – both as presentations.

- 1) The presentation by Richard Gionette and Gary Connors for a composting project which became a recommendation to Chief and Council with the following conditions: - that 50% of the workforce be Mississauga First Nation members; - to ensure that there is no liability to the Band; - establish a lower rate for pump-outs for the Elders and work closely with the Lands and Resources department with an open door policy.
- 2) On December 9, 2009, the Chief received a letter from the Ministry of Natural Resources regarding the sale of crown land from three individuals. These lands were in the traditional territory of Mississauga First Nation. Due to the fact that more information was needed to make a recommendation, Mr Hagman, Area Supervisor from MNR came to the meeting on February 4, 2010 to provide more information on these crown lands. The recommendation

that went forth to Chief and Council is that the Committee was not in favour of the sale of these lands. As a result, the lands were subsequently sold. However, the Chief, Portfolio Holder and the Lands and Resources Manager met with the Minister of Natural Resources on August 18, 2010 and no more lands will be sold in the future.

- 3) Shawn Trivers from the Blind River Sno-riders explained the Cataract Lake Trail project 2009 and requested permission to go back to the old trail which still has the markers and is currently within the land settlement area. The recommendation the Chief and Council was to accept the proposal.

The Lands and Resource Manager and the Lands Technician have received training on the Lands Registry system which is being upgraded. Also both have attended training on the Geographic Information System (GIS) and will continue as time allows.

A Lands and Resources Retreat was held on April 17 and 18, 2010 to review and develop the Terms of Reference, to know the role of a Committee member and a presentation from the Lands Advisory Board on their roles and functions to a participating member. Mississauga First Nation became a member of this organization upon the passing of the Land Code.

The lot size for the Temporary Land Use Permits was changed from 100' X 100' to 200' by 200'. The rates for the Access Permits were changed as follows:

Moose from \$20.00 to \$25.00
Deer from \$16.00 to \$21.00
Fish from \$10.00 to \$15.00
Bear from \$20.00 to \$25.00
Small Game from \$10.00 to \$15.00
Effective January 1, 2011.

A Signboard Policy and rates for non-Band members was developed and passed by Chief and Council. A Signboard application must be submitted by Band members for any signage to be erected on Mississauga First Nation land – with no fee attached.

The Aboriginal Communal Fishing License Agreement has a quota of 26,000 kilograms per season. The quota was not used last year nor has any member come forward to harvest this year. It was decided to explore a fishing co-op with Sagamok and Serpent River First Nations to use the quota and get the Agreement signed.

A draft Land Law Membership Consultation, Voting and Enactment Process was developed to aid the membership in passing laws. This document was given to the Committee for review and comments. A Marital Property Law was also developed and given to the Committee for review and comments. It

was decided to have a workshop session for full review prior to sending a recommendation to Chief and Council.

One logging operation was renewed and another one applied for which received approval from Chief and Council.

Glen Chiblow along with Ross McLean, President of SuperShell kit homes made a presentation to the Committee in August, 2010 to acquire a lot to showcase their units. The homes are super efficient units with a R50 and R70 rating. It was decided to allot the location as per request and this went forward as a recommendation to Chief and Council.

With regards to Inter-Treaty Harvesting, it was decided that the mandate for the Lands and Resources Committee is "Mississauga First Nation lands" not lands outside the boundary of MFN. Therefore, this topic is a political issue and unless the mandate is changed to include outside lands, the Committee cannot make recommendations. However, it was decided that traditional land be added to the Terms of Reference; that a fee be set for processing along with a deadline date and the paper entitled "First Nation Chief say's it's time to talk jurisdiction on harvesting", the Committee should participate in the talks leading up to an agreement.

In April, 2010, an Open House was planned for the Land Settlement Agreement.

In May, 2010, the Lands and Resources department participated in the Annual Health Fair by putting up a booth with information and maps for the viewing public.

The Land Code is based on 0.160 acres of land.

Land Code

For the year ended March 31, 2010

Revenue

Indian Affairs	\$56,701
Other	<u>800</u> – Land Use Permits fees
	57,501

Expenses

Bad debts	1,000 – Unpaid LUP fees
Materials and supplies	10,596
Other	9,275 – Honorarium & LUP Supply*
Professional fees	7,004
Travel	4,047
Wages and benefits	<u>13,517</u>
Year-End Balance	<u>12,062</u>

** Honorarium – 8,775
LUP Supply - 1990