

BIG GRASSY RIVER FIRST NATION INDIVIDUAL AGREEMENT SUMMARY

Big Grassy River First Nation is one of a number of First Nations (FN) in Canada who is party to the *Framework Agreement on First Nation Land Management (Framework Agreement)*. The federal government is also a party to the agreement and ratified it through the *Framework Agreement on First Nation Lands Management Act, S.C. 2022, c.19, s.121*.

The *Framework Agreement* and legislation enable these FNs to take control over the management and administration of their reserve lands from Indigenous Services Canada (ISC). In order to do this each FN must enter into an Individual Agreement with ISC. This Individual Agreement sets out the specifics of the transfer of management of reserve lands from Canada to the Big Grassy River First Nation.

The Individual Agreement for the Big Grassy River First Nation is summarized as follows:

Section 1 – Interpretation

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

Description of Big Grassy River First Nation Land

This section identifies the lands that are subject to this Individual Agreement:

Big Grassy River Reserve No 35G – (06226) – CLSR FB # FB44110
Lake of the Woods Reserve No 35J – (06227) – CLSR FB # FB43768
Obabikong Reserve No 35B – (06229) – CLSR FB # FB43770

Section 2 – Information Provided by Canada

This section confirms that Canada has provided the Big Grassy River First Nation 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 (insert date of Phase I ESA work) is summarized in “Annex D”. The environmental issues were identified in this report and an action plan for the Phase II Environmental Site Assessment is also included.

1. Former Fire Hall – historic fuel oil spill and remediation
2. Former Band Office (burned down) – fire in 2005 and historic AST
3. Current Zig’s Place Gas Bar – active AST (10 years old) and abandoned UST at surface on-site
4. Anishnabe Way Unofficial Dumping and Fill Site – historical dumping site
5. Pegamigaabo School – AST (10 years old) located on-site

6. Inactive diesel AST at 632 ON-621 – AST (>20 years old) located on-site
7. Former Four Feathers Gas Bar at Tobacco Road and ON-621 – former gasoline service station with accompanying former ASTs and USTs
8. Former School (current recreation centre) and surface water at former band office – historic TCE contamination. Elevated TCE in drinking water sourced from surface water at the former band office and in a drilled well at the school property
9. Former Tobacco Road Dump Site – historical dump site
10. Current Tobacco Road Dump Site – current dump site

This section also includes any other information in Canada's possession on monies payable, including information on any arrear of rent as the date of transfer as set out in "Annex E".

Section 3 – Transfer of Land Management

This section provides that Canada will transfer the management and control of reserve lands to the Big Grassy River First Nation on the effective date of the Individual Agreement.

Big Grassy River First Nation will then begin managing and controlling its reserve lands and natural resources under its Land Code.

Section 4 – Transfer of Rights

This section transfers all of Canada's rights, obligations, powers and authorities in or under all previous interests or licenses affecting reserve lands to the Big Grassy River First Nation.

Section 5 – Operational Funding

This section obligates Canada to provide the Big Grassy River First Nation with funding and resources for managing reserve lands. The amount of funding is set out in "Annex A". The amount of FN operational funding is based upon a variety of factors as outlined in the Memorandum of Understanding on Funding (October 19, 2011) that would give

Big Grassy River First Nation will receive \$ 283,313.00 in operational funding for the first fiscal year.

Section 6 – Transfer of Revenues

This section obligates Canada to transfer to the Big Grassy River First Nation any monies that it holds in trust for the use and benefit of the Big Grassy River First Nation and any revenues it receives from reserve lands. Canada will transfer to the Big Grassy River First Nation the amount of \$ 134,832.16 to be transferred that is currently held in the Big Grassy River First Nation Revenue Account. The procedures for the transfer of funds are set out in "Annex B".

Section 7 – Notice to Other Persons

This section requires Canada to notify any non-members who hold an interest in reserve land that management of the reserve lands will be transferred to the Big Grassy River First Nation and that the Big Grassy River First Nation will collect the revenues from those interests in the future. This notice must be given within thirty days of the ratification of the Land Code.

Section 8 – Interim Environmental Assessment Process

This section provides that until the Big Grassy River First Nation establishes its own Environmental Assessment process, the Canadian Environmental Assessment Act will apply. The procedure for Environmental Assessments during this period is set out in “Annex F”.

Sections 9 and 10 – Amendments and Notices Between the Parties

These are standard formalities regarding this amendment of the Individual Agreement, giving formal notice and documentation.

Section 11 – Dispute Resolution

This section provides that the dispute resolution provisions of the *Framework Agreement* apply to any disputes between Canada and the Big Grassy River First Nation regarding the Individual Agreement.

Section 12 – Date of Coming into Force

This section provides that the Individual Agreement comes into force at the same time as the Big Grassy River First Nation Land Code.