



August 1, 2019

Northern Georgian Bay Association

Sent via email: rnairn@baird.com

Dear Rob Nairn,

SUBJECT: Wiikwemkoong Islands Boundary Claim

As you are aware, Wiikwemkoong Unceded Territory, the Government of Canada and the Government of Ontario (“the Parties”) are in negotiations to resolve the outstanding Boundary claim relating to islands off the eastern shore of Manitoulin Island in Georgian Bay.

The Parties identified a package of proposed settlement lands which are intended to be transferred to Wiikwemkoong Unceded Territory as part of the settlement of the claim. In June 2017, the Draft Environmental Study Report for these lands was released in accordance with the requirements for Category C projects under the Class Environmental Assessment for Stewardship and Facility Development Projects.

At this time, Ontario has concluded the final requirements for the Category C Environmental Assessment (EA) and is releasing the final Environmental Study Report (ESR), Resource Analysis and Notice of Completion for final inspection.

As the Northern Georgian Bay Association (NGBA) have provided comments in the study, I encourage you to review the ESR and provide any outstanding comments to the Ministry of Indigenous Affairs. A summary table of how Ontario has considered your input within the ESR has also been drafted to support your review.

INTEREST/COMMENT	HOW INPUT WAS ADDRESSED?
The Draft ESR was prematurely released by IAO and is severely flawed.	The draft Environmental Study Report (ESR) has been prepared in accordance with the guidelines for a Category “C” project under the Ministry of Natural Resources and Forestry (MNRF) Class Environmental Assessment for Resource Stewardship and Facility Development Projects (RSFD) as well as in accordance with the guidelines for a Category “C” project under the Provincial Parks and Conservation Reserves (PPCR) Class EA. It was released based on the

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	timelines that are prescribed within these guidelines.
Ensure the unique environment within Philip Edward Island Archipelago and transferred Crown land is protected.	<p>Ontario will transfer the lands to Canada to add to Wiikwemkoong's reserve. The lands will continue to be subject to Provincial legislation until the Additions to Reserve process is completed. This process will transfer administration and control of the lands to Canada for the exclusive use and benefit of Wiikwemkoong and would then fall under applicable Federal legislation and protections.</p> <p>Any development or creation of park lands that Wiikwemkoong may consider in the future would need to be in accordance with applicable legislation, regulations, bylaws and policies.</p>
Protection of recreational uses on Philip Edward Island.	<p>Wiikwemkoong has indicated they are open to discussing potential options for allowing continued recreational access in the area.</p> <p>Ontario encourages NGBA and GBA to continue their discussions regarding recreational access with Wiikwemkoong.</p>
Concerns in regards to the purchase of Fitzwilliam Island.	<p>Ontario and Wiikwemkoong made significant efforts over several years to acquire Fitzwilliam Island (aka Gbezhigogizhii Mniss or Horse Island) which holds special significance to Wiikwemkoong and is privately owned. Despite considerable and sustained efforts to negotiate a willing-buyer, willing-seller arrangement, efforts to acquire Fitzwilliam Island were unsuccessful.</p> <p>Any purchase of property to settle a land claim is established on a willing buyer-willing seller basis and would be based on market value.</p> <p>Ontario will not expropriate private lands to settle land claims.</p>
Philip Edward Island should be designated as a park as promised within the Ontario Living Legacy and Land Use Strategy	Regulation of the island as park land was not completed because of Wiikwemkoong's civil action. The proposed settlement is not expected to affect existing parks.

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	<p>Parks under the Provincial Parks and Conservation Reserves Act (PPCRA) and in Ontario's 1999 Living Legacy Land Use Strategy (OLL) are available for the settlement of Indigenous land claims.</p> <p>As candidate provincial park lands are included in the transfer of Crown land as Proposed Settlement Lands, MECP has also screened the transfer to a Category C under the Class EA for Provincial Parks and Conservation Reserves (PPCR) under the Environmental Assessment Act (EAA) and the two processes have been coordinated for this project.</p>

The ESR can be reviewed and commented upon electronically or comments can be submitted by mail or email.

Ontario is seeking comments on the ESR from August 1, 2019 – September 15, 2019.

To obtain a copy of the Final ESR, please visit: www.ontario.ca/page/wiikwemkoong-unceded-territory

For further information or to provide comments on the ESR please contact:

Ministry of Indigenous Affairs
 Wiikwemkoong Islands Boundary Claim
 160 Bloor Street East, Suite 920
 Toronto, Ontario M7A 2E6

E-mail: wutclaim@ontario.ca

OR

Ministry of Natural Resources and Forestry
 3767 Hwy 69 S, Suite 5
 Sudbury ON P3G 1E7

E-mail: sudburydistrictgeneric@ontario.ca

If you feel that significant outstanding issues have not been addressed within the ESR, you can ask for a higher level of assessment. This is known as a Part II Order and anyone can make the request. A request may be made to the Minister of the Environment, Conservation and Parks for the project to comply with Part II of the [Environmental Assessment Act](#) (Part II Order). This request must be made in writing to the Minister at the address below and copied to the Ministry of Natural Resources and Forestry before the end of the 45 calendar-day review period.

The Honourable Jeff Yurek
Minister of the Environment, Conservation and Parks
77 Wellesley Street West
11th Floor, Ferguson Block
Toronto, ON M7A 2T5

Additional information regarding Part II Orders can be found at:
<https://www.ontario.ca/page/class-environmental-assessments-part-ii-order>

Thank you for your continued interest and participation in the Wiikwemkoong Islands Boundary Claim.

Sincerely,



Mike Taylor
Negotiator
Negotiations Branch
Indigenous Affairs Ontario

Comments and personal information concerning the proposed transfer of provincial lands to Wiikwemkoong Unceded Territory are collected to assist with decision making and potential follow-up with individuals as required. The collection of information complies with *Environmental Assessment Act* requirements. Comments not constituting personal information as defined by the *Freedom of Information and Protection of Privacy Act*, may be shared with others as appropriate, including the proponent ministries and may be included in documentation available for public review. Personal information will only be used / disclosed in accordance with the *Freedom of Information and Protection of Privacy Act*. If you have questions regarding the collection, use or disclosures of your personal information please contact Mike Taylor, Negotiator, Ministry of Indigenous Affairs (705) 313-0023 (contact information above).