

Websites: [www.ontario.ca/indigenous](http://www.ontario.ca/indigenous)  
[www.ontario.ca/page/lake-woods-flooding-claims](http://www.ontario.ca/page/lake-woods-flooding-claims)

September 10, 2021

Lake of the Woods  
PO Box 427  
Rainy River, ON P0W 1L0

Dear Mayor Fadden and Members of Council:

**RE: Lake of the Woods/Shoal Lake/Winnipeg River Flooding Claims**

I am writing to inform you about the Lake of the Woods/Shoal Lake/Winnipeg River (LOTW) flooding claims. Considerable progress has been made since we last provided you with information in the summer of 2019 and it is likely that some settlements will be concluded this year.

As you are aware Ontario is participating in negotiations with the Government of Canada and eight First Nations - Niisaachewan Anishinaabe Nation (formerly Ochiichagwe’Babigo’Ining Ojibway Nation), Naotkamegwanning (Whitefish Bay), Big Grassy River (Mishkosiminiziibiing), Ojibways of Onigaming, Animakee Wa Zhing 37 (Northwest Angle 37), Wauzhushk Onigum Nation (Anishinabe of Wauzhushk Onigum, Rat Portage), Washagamis Bay (Obashkaandagaang) and Northwest Angle 33. The intent of these negotiations is to settle the First Nations’ individual claims concerning the flooding of their reserve lands on Lake of the Woods, Shoal Lake and the Winnipeg River following the construction of dams on Lake of the Woods beginning in 1887.

The negotiating partners (the First Nations, Canada and Ontario) had agreed that surveys were needed to determine how much of each First Nation’s Reserve had been impacted by the dam-related flooding. Surveys of the eight First Nations’ 26 reserves have been done by an independent surveyor. Those surveys have identified the lands, situated above the natural or pre-flood water level of Lake of the Woods, that were part of the First Nations’ reserves before the dam-related flooding.

In the past, there was a lack of clarity about the locations of the First Nations’ reserve lands following the dam-related flooding and certain reserve lands were, at times, administered by Ontario. In some instances, First Nation reserve lands (islands created by flooding) were regulated as provincial conservation reserve lands or provincial crown lands and in some instances, resource harvester licences were issued for those lands. The recent surveys have clarified the situation and Ontario has identified the appropriate steps to address circumstances where certain First Nation reserve lands

were administered by Ontario. For example, Ontario will pursue an amendment to the boundary of the Lake of the Woods Conservation Reserve to confirm that lands that are First Nation reserve lands are not included in the description of the Conservation Reserve. Ontario will also be amending resource harvester licenses to confirm that First Nation reserve lands are not included in those licensed areas.

Although Ontario will need to take certain steps to address circumstances where lands were administered by Ontario, settling the Lake of the Woods flooding claims does not involve the transfer of any Crown land from Ontario to Canada, nor does it involve the addition of any lands to reserve by Canada. Due to the on-going COVID-19 restrictions, Ontario is unable to host in-person meetings. To ensure that information about the proposed settlement of these claims is available, the Ministry has developed a virtual information process, available on [www.ontario.ca/page/lake-woods-flooding-claims](http://www.ontario.ca/page/lake-woods-flooding-claims). It includes an interactive mapping product that shows the areas affected by flooding on each of the First Nations' Reserves. I am also enclosing updated Fact Sheet and Frequently Asked Questions document that provides more information about these claims and the proposed settlements.

**Information about flooded reserve lands will be added to the website as it becomes available. At this time, information for one reserve, Niisaachewan Anishinaabe Nation, 38 Dalles Indian Reserve, is now available and I will be notifying you when additional information is posted. Please note, once a particular area is posted the online review period will be active for 45 days.**

In addition, Ontario is committed to arranging teleconference and/or videoconference meetings to discuss the LOTW flooding claims. We would be pleased to set up a meeting with you at a mutually convenient date. Should you have any questions or want to request a meeting, please contact me at [LOTWFloodClaim@ontario.ca](mailto:LOTWFloodClaim@ontario.ca).

Sincerely,



Dianne Woods  
Negotiator  
Ministry of Indigenous Affairs

- c: Ryan Metcalfe, Associate Negotiator  
Ministry of Indigenous Affairs Ontario
  
- c: John Scime, Negotiator  
Crown-Indigenous Relations and Northern Affairs Canada

Attachments:

- Fact Sheet: Lake of the Woods Flooding Claims
- Frequently Asked Questions and Answers