



Frequently asked questions about the Lake of the Woods flooding claims

Ontario's Environmental Assessment Act

Q: How does Ontario's Environmental Assessment Act apply to the flooded reserve lands?

A: Ontario's Class Environmental Assessment (EA) processes under the Environmental Assessment Act do not apply in respect of lands that have been confirmed by the recent surveys as First Nation reserve lands.

Privately owned islands

Q: There are privately owned islands located within the areas identified as forming part of reserves. What is the Government of Ontario doing with respect to privately owned islands that may be identified through the remaining surveys?

A: Ontario will identify potential solutions.

Lake of the Woods Islands Conservation Reserve Lands

Q: A number of islands in the Lake of the Woods claim area had been designated as part of the Lake of the Woods Conservation Reserve (LWCR), under the authority of the Provincial Parks and Conservation Reserves Act, 2006 (PPCRA). I have camped on Conservation Reserve islands for many years. Will I still be able to camp on these islands every summer?

A: The Ministry of the Environment, Conservation and Parks (MECP) is supporting the settlement of the Lake of the Woods Flooding Claims by pursuing amendments to O. Reg. 315/07 (Designation of Conservation Reserves) under the PPCRA to ensure islands that are First Nations reserve lands are not included in the descriptions of this Conservation Reserve. These lands are under the administration and control of the federal government. Anyone wishing to access or use these islands for camping or other purposes would require permission from the applicable First Nation.

Please refer to the interactive maps posted on Ontario.ca/lakeofthewoodsflooding to identify islands that have been confirmed by survey to be First Nation reserve land and not available to the public for camping or other activities. Islands that are part of the Lake of the Woods Conservation Reserve can continue to be used for camping.

Q: Will there be any impacts to significant ecological, cultural or recreational features by confirming that First Nation reserve lands are not included as part of the Conservation Reserve?

A: Amending regulations to ensure that the First Nations' reserve lands are not included in the Conservation Reserve is not anticipated to impact any known ecological, cultural or recreational features.

Q: Will the public be able to continue to access and use the islands for recreational purposes?

A: Islands indicated on the surveys as First Nation reserve lands are under the administration and control of the federal government. Anyone wishing to access or use these lands would require permission from the applicable First Nation.

Q: Will other First Nations and Métis communities be able to continue to access and use the islands for the exercise of Aboriginal and treaty rights?

A: Islands indicated on the surveys as First Nation reserve lands are under the administration and control of the federal government. Anyone wishing to access or use these lands would require permission from the applicable First Nation.

Resource harvester licences

Q: What will happen with resource harvester licences for the commercial harvesting of black bear, baitfish and furbearers under the authority of the Ontario Fish and Wildlife Conservation Act?

A: The Ministry of Northern Development, Mines, Natural Resources and Forestry (MNDMNRF) will be supporting the settlement of the Lake of the Woods Flooding Claims by amending the boundaries of traplines, bear managements areas and bait harvest areas to confirm that First Nation reserve lands are not included in these licences. As part of the settlement process, licence holders will be notified by MNDMNRF about amendments to their resource harvester licences.

Q: I hold a Licence to Provide Bear Hunting Services authorizing a Bear Management Area (BMA) that includes land that has been confirmed by the recent surveys to be First Nation reserve land. What will happen to that licence and BMA?

A: Starting in 2021, the boundaries of the BMA authorized by a Licence to Provide Bear Hunting Services will be amended to confirm that it does not include First Nation

reserve land and fees may be adjusted accordingly. Any equipment or improvements, such as bait stands or boat caches that are located on First Nation reserve land, will need to be removed. MNDMNRF staff in the Kenora District office will work with the licence holders to establish a date for removal.

Q: Will I be able to bring my clients to hunt black bears in the areas that have been confirmed as reserve land?

A: The recent surveys confirm the locations of First Nation reserve lands. As such, these lands are under the administration and control of the federal government. Anyone wishing to access or use reserve lands would require the permission from the applicable First Nation.

Q: Will I be compensated by the Government of Ontario for amendments to my bear management area (BMA)?

A: No. Fees may be adjusted to reflect the amendment in the size of the BMAs. Amendments to confirm that First Nation reserve lands are excluded are not anticipated to have an appreciable impact on the ability of operators to provide their clients with quality bear hunting opportunities.

Q: Will I be compensated by the Government of Ontario for my costs to remove my equipment and improvements, such as bait stands or boat caches, that are located on First Nation reserve land?

A: No. Structures and other investments are not authorized by BMAs or licences. Bait stands and any other improvements should represent modest investments that can be removed with minimal effort and costs to licencees. MNDMNRF staff will work with licencees to identify new locations for boat caches.

Q: Can I prevent my BMA from being amended if it includes islands that are confirmed to be First Nation reserve lands?

A: No. Lands that have been confirmed to be First Nation reserve lands are under the administration and control of the federal government. As part of the settlement process, BMA holders will be notified that the boundaries and area of their BMAs will be amended by MNDMNRF.

Q: What if I hold a Commercial Bait Licence to Harvest Bait authorizing a Bait Harvest Area (BHA) that includes land that has been confirmed by survey to be First Nation reserve land?

A: Starting in 2021, Commercial Bait Licences to Harvest Bait and the boundaries of the BHA will be amended to confirm that they do not include First Nation reserve land. Any equipment or improvements, such as bait traps or boat caches located on First Nation reserve land, will need to be removed. MNDMNRF staff in the Kenora District office will work with the license holder to establish a date for removal.

Q: Will I be able to harvest bait in the areas that have been confirmed as First Nation reserve lands?

A: The recent surveys confirm the location of First Nation reserve lands, which are under the administration and control of the federal government. Anyone wishing to access or use First Nation reserve lands would require permission of the applicable First Nation.

Q: Will I be compensated by the Government of Ontario for the amendments to my BHA?

A: No. Amendments to confirm that First Nation reserve lands are excluded are not anticipated to have an appreciable impact on the quality and quantity of bait harvested by operators.

Q: Will I be compensated by the Government of Ontario for my costs to remove my equipment or improvements, such as bait traps or boat caches, located on First Nation reserve land?

A: No. Structures and other costly investments are not authorized by BHAs or licences. Any improvements should represent modest investments that can be removed with minimal effort and cost by licencees. MNDMNR staff will work with licencees to identify new locations for boat caches.

Q: Can I prevent my BHA from being amended if it includes islands that are confirmed to be part of a First Nation Reserve?

A: No. Lands that have been confirmed to be First Nation reserve lands are under the administration and control of the federal government. As part of the settlement process, BHA holders will be notified that the boundaries and area of their BHAs will be amended by MNDMNR.

Q: What if I hold a Registered Trapping Licence that includes land that has been confirmed by survey to be First Nation reserve land?

A: Starting with the 2021-2022 trapping season, your Registered Trapping Licence will be amended to confirm it does not include First Nation reserve land. There are no trap cabins located on the First Nation reserve lands that will be affected. Any traps or boat caches located on First Nation reserve land will need to be removed. MNDMNR staff in the Kenora District office will work with licence holders to establish a date for removal and will assist with the relocation of boat caches.

Q: Will I be able to conduct trapping activities in the areas that have been confirmed as reserve lands?

A: The recent surveys confirm the location of First Nation reserve lands which are under the administration and control of the federal government. Anyone wishing to access or

use First Nation reserve lands would require permission from the applicable First Nation.

Q: Will I be compensated by the Government of Ontario for amendments to my trapline licence?

A: No. Amendments to small areas in individual traplines are not anticipated to have an appreciable impact on harvesting success.

Q: Will I be compensated by the Government of Ontario for my costs to remove any traps or boat caches that are located on First Nation reserve lands?

A: No. It is anticipated that trappers will be able to remove any traps and boat caches from reserve land with minimal effort and cost. Traps will need to be relocated to areas that are not on First Nation reserve lands. MNDMNR Kenora District staff will work with impacted commercial trappers to relocate boat caches to suitable locations.

Q: Can I prevent my trapline from being amended if it includes islands that are confirmed to be part of a First Nation Reserve?

A: No. Lands that have been confirmed to be First Nation reserve lands are under the administration and control of the federal government. As part of the settlement process, commercial trappers will be notified that the boundaries and area of their traplines will be amended by MNDMNR.

Mining and claim registration activities

Q: Are there any existing third-party mineral interests or mining claims within the areas?

A: There are no existing third-party mineral interests, including mining claims, within the areas that have been identified as First Nation reserve lands by the recent surveys.

The Ministry of Northern Development, Mines, Natural Resources and Forestry (MNDMNR) is supporting the settlement of the Lake of the Woods Flooding Claims by taking steps to ensure First Nation reserve lands are identified and not available for registration of mining claims in Ontario's Mining Lands Administration System (MLAS).

Q: Why did ENDM withdraw lands in 2020?

A: The withdrawal was a temporary measure taken to ensure no new mining claims were registered on the lands that were shown on the draft surveys of the flooded First Nation reserve lands.

Q: What happens to those withdrawn lands? Will they remain withdrawn?

A: Once the surveys of the flooded First Nation reserve lands are registered, MNDMNR will update MLAS to show the surveyed lands as part of the First Nations' Reserves. Those lands will not be available for registration of mining claims in MLAS. At the same time, MNDMNR will reopen the lands subject to the withdrawal order that are not part of the First Nations' Reserves. The administrative process for this is called a reopening order. Once the reopening order is signed and put on the MLAS viewer, any lands subject to the order that are not reserve lands would be open for claim registration.

Crown land authorizations

Q: Are there any current Crown land authorizations covering the lands now confirmed as First Nation reserve lands?

A: Occupational authority was issued by Ontario, after flooding occurred, on a small number of land parcels that have been confirmed as being within the area forming part of a First Nation reserve.

Q: What is the Government of Ontario doing with respect to these parcels?

A: Ontario will be identifying potential solutions.

How to provide feedback or request additional information

To provide feedback, request additional information or arrange for a video or teleconference meeting, please contact:

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