Additions to Reserve

Alberta First Nations Land & Economic Development
Training Symposium

November 5, 2014

Adding Lands to Reserve

- The authority to grant Reserve status Governor in Council (non-statutory)
- The Additions to Reserve Policy Current policy is from 2001. New policy is forthcoming.

Proposed Changes to the Policy

Policy Justifications

Legal Obligations
Community Additions
New Reserves / Other Policy

Legal Obligations and Agreements

Claims Settlement Agreements

Court Orders

Legal Reversions

Community Additions

Normal Community Growth

Geographic Additions
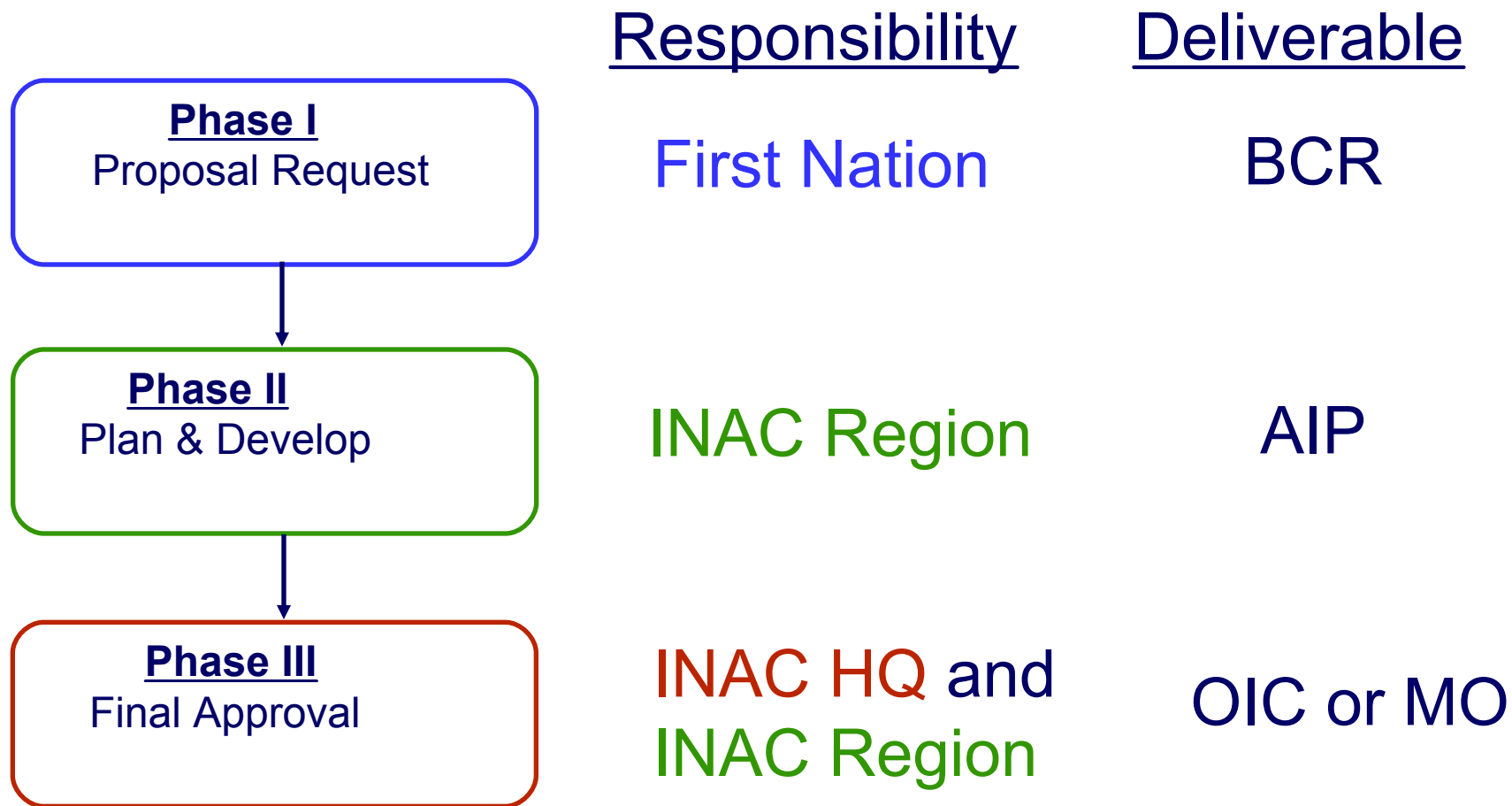
Unsold Surrendered Land Additions

New Reserves / Other Policy

Covers all proposals which are not "Legal Obligations" and "Community Additions"

The 3 Process Phases - Outline
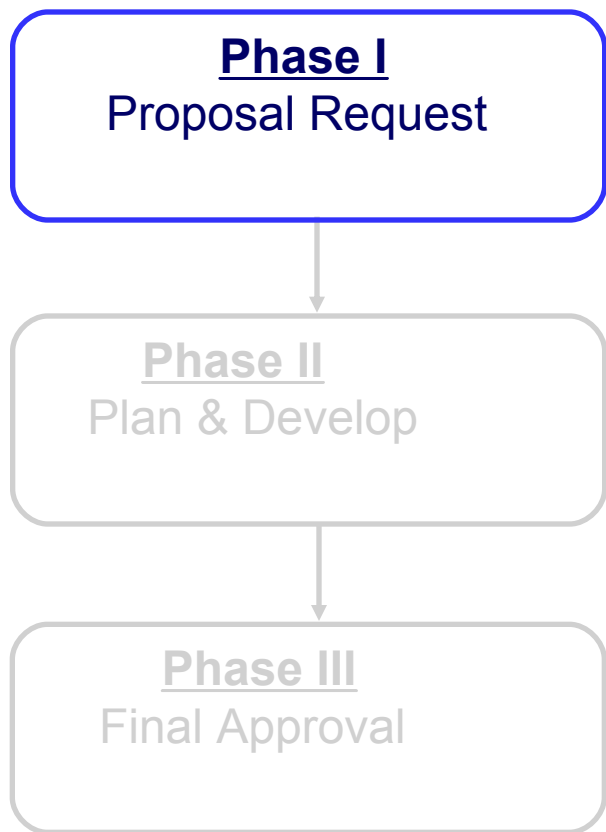
	Responsibility	Deliverable
Phase I — Proposal Request	First Nation	BCR
Phase II — Plan & Develop	INAC Region	AIP
Phase III — Final Approval	INAC HQ and INAC Region	OIC or MO

Process Phase I

Phase I Proposal Request	**Responsibility**	**Deliverable**
Phase II Plan & Develop	**First Nation** **+** advice/support from INAC Region	**BCR** **+** Supporting docs: Title/Prov Order Land Description Env Review Municipal issues 3rd Party interests
Phase III Final Approval	Confirms ATR category & applies site-specific criteria	

Process Phase II

Responsibility

AANDC Region
- Satisfy criteria, or
- Identify resolution
- Prepare ARC submission
- Receive AIP from ARC
- Recommend to Minister

+

First Nation
- Identify concerns
- Address 3rd Party Interests
- Submit required documentation

+

AANDC HQ
If unresolved urban/contentious concerns, make recommendations to Minister
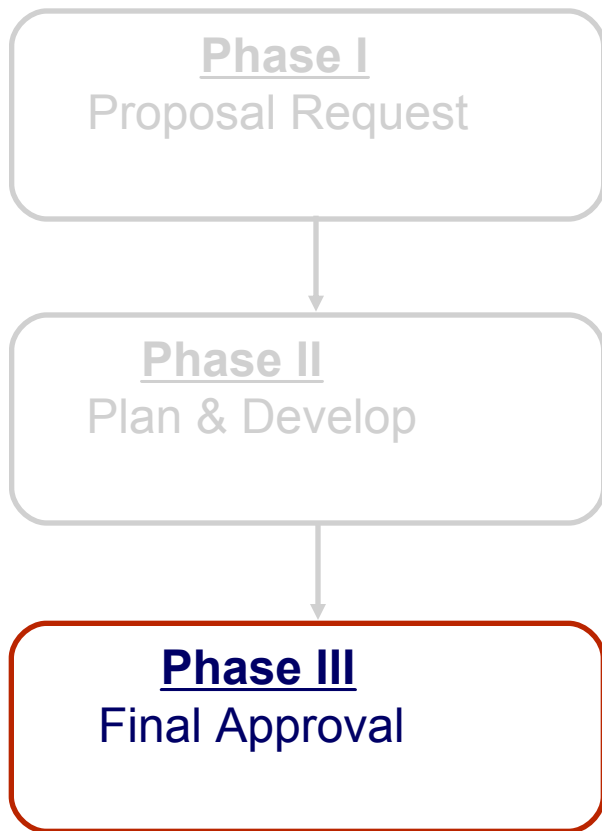
Deliverable

AIP
+

Supporting docs:
- ARC recommendations
- BCR
- ESA
- Legal Description
- RM letters
- 3rd Party Interests

Phase I
Proposal Request

↓

Phase II
Plan & Develop

↓

Phase III
Final Approval

Process Phase III

Responsibility

Deliverable

Phase I
Proposal Request

INAC Region
• Finalize Transfer to Canada
• Resolve 3rd Party Interests
• Prepare OIC/MO submission

OIC or MO
+
Supporting docs:
• Decision Briefing Note
• Annex A
• Electoral Map
• Letter to PCO/ Ministerial Order

+

Phase II
Plan & Develop

AANDC HQ
• Approvals up to M.O.
• MO to Minister for approval
• OIC to GGIC for approval
• Notify INAC Region

+

Phase III
Final Approval

AANDC Region
• Notify FN and Province
• Submit transaction to ILRS

QUESTIONS?

<u>Contact Us</u>

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