



INDIVIDUAL AGREEMENT SUMMARY

Fort Nelson First Nation wants to act on the opportunity to control the governance, management, and administration of its reserve lands. As a part of the process to get control, Fort Nelson First Nation worked with Indigenous Services Canada (ISC) to develop the Individual Agreement on First Nation Land Management (Individual Agreement). The Individual Agreement explains how the transfer of management of reserve lands from Canada to Fort Nelson First Nation will happen.

The Individual Agreement is made up of 12 sections and 7 annexes. The sections deal with topics such as funding, information sharing, and the transfer of authority, and the annexes are documents that are added to the Individual Agreement that have additional information. Below is a summary of each section and annex.

1. INTERPRETATION

- This section gives meanings for words and phrases used in the Individual Agreement.
- Guides the reader on how to understand the Individual Agreement.
- The Fort Nelson First Nation reserve lands that the Land Code will apply to are listed in ANNEX "G":
 - o Fontas Indian Reserve No. 1 (06951)
 - o Fort Nelson Indian Reserve No. 2 (06952)
 - o Kahntah Indian Reserve No. 3 (06953)
 - o Snake Indian Reserve No. 5 (06954)

2. INFORMATION PROVIDED BY CANADA

- Canada will provide information to Fort Nelson First Nation about any leases, permits, or other interests given under the Indian Act. Found in ANNEX “C”.
- Information about the condition of the reserve land environment is found in ANNEX “D”

3. TRANSFER OF LAND ADMINISTRATION

- Describes the transfer of power from Canada to Fort Nelson First Nation for the management and control of the reserve lands and natural resources.
- Fort Nelson First Nation will manage its reserve lands according to the Land Code.
- The Indian Oil and Gas Act still applies.

4. ACCEPTANCE OF TRANSFER OF LAND ADMINISTRATION

- The Land Code becomes the land law for Fort Nelson First Nation reserve lands.
- The 44 land management provisions of the Indian Act will no longer apply.
- Canada remains responsible for issues that occurred before the Land Code comes into force.
- Fort Nelson First Nation is responsible for land related decisions and activities after the Land Code comes into force.

5. OPERATIONAL FUNDING

- Canada will provide Fort Nelson First Nation with annual Land Code funding according to the chart found in ANNEX “A”.
- Canada will also provide Fort Nelson First Nation with \$150k in funding to support the transferring of lands administration.
- The funding is periodically reviewed by all Land Code First Nations.

6. TRANSFER OF MONEYS

- Canada agrees to provide Fort Nelson First Nation with all the capital and revenue monies that Canada holds on behalf of Fort Nelson First Nation. The amounts are listed in ANNEX “B”.

7. NOTICE TO THIRD PARTIES OF TRANSFER OF ADMINISTRATION

- Fort Nelson First Nation will provide notification of the Land Code coming into force to Companies doing business on reserve lands.
- The companies that must be notified are listed in ANNEX “C”.

8. INTERIM ENVIRONMENTAL ASSESSMENT PROCESS

- Projects on the reserve lands will follow an interim environmental assessment process until Fort Nelson First Nation has developed their own process or law.
- The interim environmental assessment process is in ANNEX “F”.

9. AMENDMENTS

- The Individual Agreement can only be changed if Fort Nelson First Nation and Canada agree in writing to make the changes.

10. NOTICES BETWEEN PARTIES

- When communicating with each other, Canada and Fort Nelson First Nation agree to do it in writing and follow the terms of the Individual Agreement.

11. DISPUTE RESOLUTION

- Disputes related to the Individual Agreement can be dealt with using the process described in the Framework Agreement on First Nation Land Management Act.
- The options include negotiation, mediation, neutral evaluation, and arbitration.

12. DATE OF COMING INTO FORCE

- The Individual Agreement can only apply to the reserve lands if it is approved by Fort Nelson First Nation Members and signed by Canada and Fort Nelson First Nation Council.
- The Individual Agreement will come into force at the same time as the Land Code.