



June 4, 2009

Hon. Chuck Strahl
Minister
Ministry of Indian Affairs & Northern Development
Ottawa, Ontario

Dear Minister Strahl,

Re: Public Transparency and the Algonquin Land Claim Process

The Canadian Sportfishing Industry Association (CSIA) represents the manufacturers, distributors, retailers and sales agencies which serve the 8 million Canadians who fish. Our industry generates an annual economy of \$7.4 billion dollars – equivalent to the amount Canadians spend buying beer. More Canadians of all ages, abilities and heritage fish for recreation than play golf and hockey combined.

Access to public lands and waters / fish and wildlife are essential to the economic viability of our industry and related businesses such as tourism and hunting. For this reason we have been an active member of the Algonquin Land Claim Committee of External Advisors (CEA) since its creation by former Ontario Attorney General Charles Harnick in 1996. A parallel Municipal Advisory Committee was also created by Mr. Harnick to include all municipal governments in the land claim area. The original Chairmen (Bill Calvert and Michael Johnson) remain in these roles today.

These two committees were established to restore public accountability, democratic process and transparency to what had been a clandestine process between the governments of Canada, Ontario and Algonquin aboriginal representatives. Our position remains that tax funded discussions by Ontario and Canada concerning plans for significant changes to the public ownership, management and control of millions of acres of public and private lands, waters, fish and wildlife, timber, Algonquin park and other parks are inappropriate and completely unacceptable in an exclusive closed door process.

The absence of transparency and accountability entrenched by the Rae / Chretien governments gained such prominence with front page press coverage that Mike Harris made a written commitment to hold a public referendum in the region on any proposed Algonquin land claim settlement.

In contrast to the commendable efforts by the Harris government at restoring transparency and public involvement which did function well for several years, the entire Algonquin land claim process has failed to include any public consultation with the non-aboriginal community since 2006. Ontario has failed to honor its specific commitments to keep CSIA informed of ongoing developments in this land claim process, even though considerable developments have taken place, and Canada has never made a clear commitment to an open and transparent process.

Canada and Ontario seem to have no difficulty maintaining an inclusive process with members of the Algonquin community, yet when we ask for the same consideration we are answered with the time worn mantra from the Bob Rae era, "Ontario and Canada cannot conduct sensitive negotiations in public". Perhaps not – but this does not preclude timely public consultations and updates of substance and specifics with the people who are paying the bills for a tax funded process and whose livelihood will be ultimately affected by the outcome. The interests and positions of the outdoor business community are not being adequately represented in the land claim process and these long standing deficiencies are exacerbated by a fundamentally flawed negotiation approach that only includes 2% of the affected public.

We also maintain that the fair resolution of aboriginal land claims must never be dependent on doing harm to other people and businesses, as occurred in the Mississauga #8 land claim settlement in 1995. Having said that we observe the same terminology and euphemisms being used by Ontario and Canada once again in the Algonquin land claim process and the Ontario Environmental Assessment Declaration Order. The absence of public transparency since 2006 is also directly analogous to what took place in Blind River and this is completely unacceptable when the ownership and control of vast areas of public natural resources and dependent regional economies are being discussed in secret.

We remain very concerned over the lack of 'on the ground' familiarity demonstrated by the representatives of Canada and Ontario who appear to fail to understand the stark differences between land claim settlement models in remote regions in the far north and the practical day to day natural resource based economic realities in Eastern Ontario - a region with 1.4 million non-aboriginal residents who work and recreate on virtually all of the public Crown lands and waters involved. Recreational fishing, hunting and related tourism is a major component of this rural economy and the public Crown lands and waters in the Algonquin land claim area are not vacant land. The ill suited land claim settlement models being proposed in the Algonquin example reflect the mistakes which tend to occur when the public is excluded from the process.

When the public advisory committees were functional, we were told aboriginal people comprised approximately 2% of the population in the Algonquin land claim area. Land claim settlements in remote regions have included the establishment of fish and wildlife 'Commissions' with a significant percentage of aboriginal membership, to manage and regulate public lands, waters, fish, wildlife and natural resources which remain Crown property following the claim settlement. Were these same scenarios to be proposed for Eastern Ontario, they would violate any semblance of a fair share arrangement for the

members of the non-aboriginal fishing and hunting public who rely on access to public lands and waters. The existing evidence of this trend in Eastern Ontario is found with the allocation of moose tags, of which the vast majority have been re-allocated away from the general public and exclusively to aboriginal hunters through a backward process of reactionary crisis management by Ontario.

The greatest environmental success story in the history of the world is that of fish and wildlife conservation, habitat restoration and sustainable use across North America. This is a direct result of a model which includes science based management, responsible use and public ownership of natural resources. We respect the traditional knowledge of aboriginal people and their strong connections to the land, but this heritage is shared equally across many generations of human history by all people who fish and hunt – regardless of ancestry. With the increasing impacts of climate change on fish and wildlife appearing on our immediate horizon, entrenching the basics of the proven / best model ever developed for fish and wildlife conservation and sustainable use will continue to serve all interests and maintain the welfare of the resource as the first priority.

We request that you please include the following points in Canada's position for negotiating the Algonquin Land Claim;

1. Transparency, substantial public consultation and public accountability will be guiding principles for Canada.
2. If Ontario refuses to restore and commit to the elements of integrity outlined above in Point 1, Canada will withdraw from the negotiation process .
3. Remote region Land Claim settlement models are not applicable to Eastern Ontario Crown lands, waters, fish, wildlife, parks and natural resources or related economies.
4. Post Land Claim settlement management and control of non-aboriginal public Crown lands, waters, fish, wildlife and natural resources must remain under public jurisdiction and reflect a proportional fair share which accurately reflects the percentage of the population of non-aboriginal residents .
5. Non-aboriginal private lands and businesses must not be adversely affected by the terms of the land claim settlement.
6. Non-aboriginal private lands and businesses will not be abrogated by the terms of the land claim settlement.
7. Rural natural resource dependent economic development initiatives resulting from the land claim settlement and funded by government for aboriginal residents / businesses will be matched equally for non-aboriginal residents / businesses.

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8. According to the public information provided by the Algonquins, their members will vote to accept or reject the final land claim settlement terms. Therefore it is only fair that the terms of the final land claim settlement agreement will not be approved by Canada without approval by a referendum vote by the non-aboriginal residents of the affected region.

Thank you for your consideration, and know that we are pleased to answer any questions and available to meet with you at any time to discuss these issues in the interest of restoring transparency and fairness to the Algonquin land claim process.

Best regards,

Phil Morlock

Chair, CSIA Government Affairs Committee