



ISSN 1181-6465

Legislative Assembly  
of Ontario  
First Session, 40<sup>th</sup> Parliament

Assemblée législative  
de l'Ontario  
Première session, 40<sup>e</sup> législature

## **Official Report of Debates (Hansard)**

**Wednesday 29 August 2012**

## **Journal des débats (Hansard)**

**Mercredi 29 août 2012**

**Standing Committee on  
Estimates**

Ministry of Aboriginal Affairs

**Comité permanent des  
budgets des dépenses**

Ministère des Affaires autochtones

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## LEGISLATIVE ASSEMBLY OF ONTARIO

**STANDING COMMITTEE ON  
ESTIMATES**

Wednesday 29 August 2012

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

**COMITÉ PERMANENT DES  
BUDGETS DES DÉPENSES**

Mercredi 29 août 2012

*The committee met at 1548 in room 151.*

## MINISTRY OF ABORIGINAL AFFAIRS

**The Chair (Mr. Michael Prue):** We'll call the meeting to order. We're here to resume consideration of the estimates of the Ministry of Aboriginal Affairs, vote 2001. There's a total of four hours and 14 minutes remaining, which means we'll have about two hours left when we finish today.

When the committee adjourned yesterday, the official opposition had four minutes left of its 20-minute rotation. I will turn it back to the official opposition, to Mr. Nicholls.

**Mr. Rick Nicholls:** Thank you very much, Chair.

Minister, yesterday we were talking about illegal tobacco sales and things of that nature. I want to shift just a little bit and ask you a little more specifically about an area that is near and dear to my heart down in my riding: the Caldwell First Nations. Back about six years ago—and I could be wrong on the date—they in fact were looking to purchase property down in my area, going to various farms to see if they could buy the farmland and so on.

That was unsuccessful, but, as a result, the ministry has in fact given out—I can't be quoted on the number—100 and some odd million dollars to the Caldwell First Nation. They have now been located down in my riding, still, but in Leamington. There are about 196 people affected by that move.

What was the justification and the reason behind granting Caldwell First Nations that amount of money and for locating them down in the Leamington area?

**Hon. Kathleen O. Wynne:** I'm going to have to ask staff to speak to the specifics. I think yesterday I spoke generally to our position as a government that we want to work with First Nations to find ways to resolve these issues that have been outstanding. I'm going to just ask Laurie LeBlanc to speak to the specifics of the Caldwell situation.

**Ms. Laurie LeBlanc:** What I'm going to have to do is get back to the committee on the specifics. I understand there's a relationship with the federal government and Canada in this, but I don't want to give uninformed—

**Mr. Rick Nicholls:** Erroneous information?

**Ms. Laurie LeBlanc:** That's right. I want to make sure that I give you accurate information. So we will take your question and we'll get back to you.

**Mr. Rick Nicholls:** I appreciate that very much. It is an area that is of concern, and I appreciate the fact that yesterday, Minister, you did mention that some of these involve more federal versus provincial.

What was the name—and forgive me, because I've forgotten; I don't have my notes with me on this. Actually, maybe I do. I guess you've written a letter to one of the First Nations up north whereby—

**Hon. Kathleen O. Wynne:** The apology to Wabigoon Lake?

**Mr. Rick Nicholls:** Say that one again?

**Hon. Kathleen O. Wynne:** The one that I read?

**Mr. Rick Nicholls:** Yes.

**Hon. Kathleen O. Wynne:** Wabigoon Lake.

**Mr. Rick Nicholls:** That's the one. Okay.

**Hon. Kathleen O. Wynne:** Wabigoon Lake Ojibway Nation.

**Mr. Rick Nicholls:** Yes. So that dam was built a little over 100 years ago?

**Hon. Kathleen O. Wynne:** In the 1890s.

**Mr. Rick Nicholls:** And the problem with that dam was that it caused some flooding. Is it still causing flooding—

**Hon. Kathleen O. Wynne:** Flooding, and the community actually had to relocate.

**Mr. Rick Nicholls:** Okay. I know that you had read your letter apologizing on behalf of the government. At that time, was that when the \$27 million was also given to the Wabigoon—

**Hon. Kathleen O. Wynne:** That was part of the settlement, \$27 million, and there was an amount that went to, as I understand it, each member of the community. The apology actually wasn't written, as I understand it, into the settlement, but it was something that was agreed upon.

**Mr. Rick Nicholls:** So \$27 million went to—I'm sorry, to the members of that community?

**Hon. Kathleen O. Wynne:** There was an amount—the settlement agreement provided \$27 million to the First Nation and it was the result of the damaging of reserve lands and to obtain a flooding easement. I'm just looking here to see the details. My understanding at the time, when I was travelling to Wabigoon Lake, was that there had been an amount to each member of the community and then, in addition to that, there was an amount that went to the community for investment and for economic development.

**Mr. Rick Nicholls:** Okay—

**The Chair (Mr. Michael Prue):** I have to stop you because the four minutes is now up. On to the NDP.

**Mr. Rick Nicholls:** That was a quick four.

**The Chair (Mr. Michael Prue):** Think about those thoughts; we'll come around in another 40 minutes.

**Mr. John Vanthof:** Thank you, Chair.

I think the last time it was my turn to go around, I had the name Attawapiskat on my lips and I think I'm going to start there.

We were discussing earlier about the Ring of Fire and how we want to do things differently in the Ring of Fire, or at least improve our relationship with the First Nations and how they benefit from mineral wealth that's on their land, or on all our land.

With Attawapiskat and the De Beers diamond project, I'd like to use that, not as an example, but I know when I was in Attawapiskat, there didn't seem to be the benefit to the community that the community seemed to expect. I can't really quantify that. But that wasn't a project that was developed 100 years ago. I remember in Timmins airport: so many minutes or so many hours until the first—right?

Have we changed anything? Because if we haven't learned anything from—unless that one's working perfectly; I don't think it is. But what have we learned? What are we planning to change, or what are you planning to change?

**Hon. Kathleen O. Wynne:** It's actually a great question because I think it gets at the root of some of the challenges that we have going forward. I believe what you're referring to is the impact benefit agreement that was signed with the community and the mining company. When I was in Attawapiskat, there was the same sentiment expressed: that the community didn't feel that they had benefited in the way that they expected.

The details of the impact benefit agreement and the way those have been negotiated, and the details of the Mining Act—again, you're going to have to speak with the Minister of Northern Development and Mines. But what I can say to you is that as we approach the Ring of Fire, we're very aware that there's an intertwining of issues that have to be dealt with. Part of it is about the financial benefit, and that's a conversation that will happen in part between the First Nations and companies as the projects roll out. But part of it is about resource revenue-sharing, which I think we spoke about a little bit yesterday. That's certainly a conversation that we want to have with the First Nations, because that certainly is something that Chief Theresa Spence raised at the time when I was in Attawapiskat. She really felt that resource revenue-sharing was an important part of what needed to be considered going forward.

I think I read the letter yesterday from Minister Bartolucci. He has committed to resource revenue-sharing as one of the large issues that needs to be discussed and resolved as we enter into memoranda of co-operation or memoranda of understanding with First Nations as part of the Ring of Fire.

The other reason that it's an interesting question is that there are, I think, around 100 jobs or 90 or so jobs that members of the Attawapiskat community still have in the mine. I guess it might have been a larger number earlier, but that seems to be the number now. One of the councillors, when I was there, stood up and said that he didn't feel that even though there were jobs, things had changed or gotten better.

As we talked about yesterday, the housing issue, the social issues, the education issues, the water—all of those issues contribute to community members' sense of well-being. All of those problems have to be dealt with, and they're not all going to be dealt with just through an impact benefit agreement or just through resource revenue-sharing. So I think our approach, if we've learned, and I think we have—our approach to the Ring of Fire demonstrates that. We understand there's a range of issues; we understand there needs to be much more of a holistic approach, if you will, to working with the community to prepare it for this economic development.

That's not, in and of itself, all that needs to happen. The education issues that we discussed at length yesterday are ongoing. Those are going to have to be dealt with, but as we enter the Ring of Fire we need to be much more cognizant of some of the surrounding issues, not just the quantum of the financial relationship.

**Mr. John Vanthof:** While I was there, one of the biggest complaints I heard—and again, we have examples of where it works really well: First Nations training programs. When a development is ready to roll—and Matachewan in my riding is a very good example. They've got a program, so when it's ready to roll, the First Nations are trained and they get the jobs. That's one of the complaints about Attawapiskat: that by the time the training programs are going, a lot of the jobs have been filled.

For Ring of Fire as well, what would be an estimation—this is going to be a hard question, probably, to quantify for me. But we can't wait to train people when the project starts.

**Hon. Kathleen O. Wynne:** Right.

**Mr. John Vanthof:** So we have to have a target date. How many years ahead do we have to—because that's one of the problems. One thing I want to comment on—it was a myth I had. When we landed in Attawapiskat—you see such abject poverty on TV, so I was expecting to see total disarray. It was right after a snowstorm, a big one. The streets were being cleaned—I'm a mechanical guy—and there were First Nations people who had every bit the skill of anyone else running loaders. It's not that they don't have the skill. That snowstorm was being cleaned up as good as Woodstock.

**1600**

**Hon. Kathleen O. Wynne:** And, interestingly, Gregory Kootstachin, who is a business owner in Attawapiskat, recently received an award from the aboriginal business association in the province for his business. He operates heavy equipment. I don't know how many people he employs in Attawapiskat, but he's very much a

thriving business owner. So I think your point is well taken.

I can't quantify the amount of money we're going to spend working with First Nations on training programs specifically for the Ring of Fire, but what I can tell you is that we are working right now to get those training programs set up.

I wanted to just talk a little bit generally about some of the things we're doing too, because all of this work is part of that working with First Nations to increase the capacity.

So we've supported a number of initiatives; for example, \$45 million over three years for the northern training partnership fund, which is a project-based skills training program. It was announced in 2010, and, to be fair, it was put in place to help aboriginal and non-aboriginal northerners, northern Ontarians, to benefit from economic opportunities exactly like the Ring of Fire. That was one of the reasons we put it in place.

There has been \$26.5 million in funding since 2003 for the aboriginal community capital grants program, over 101 major and minor capital grants, and feasibility studies for building and renovating community and business centres, and then \$30 million over 10 years for the Métis Voyageur development fund. That's to support Métis economic development and to provide grants and loans to entrepreneurs and businesses that are new or are expanding, and to promote skill development and create jobs. There's also the new relationship fund, \$51.3 million in funding since 2008, and what that has done is provide aboriginal communities with economic development opportunities and also allowed for some capacity building, to allow them to take part in economic development processes.

Other ones that are in place: There's the First Nations gaming revenue sharing agreement. As you know, there's a funding component for First Nations economic development in that. Under that agreement, 132 First Nations receive 1.7% of the Ontario Lottery and Gaming Corporation's aggregate gross revenues, and that's approximately \$3 billion over 25 years. So that's a lot of money going into those communities, and 132 First Nations are pretty much all of the First Nations. I think there are—

*Interjections.*

**Hon. Kathleen O. Wynne:** Okay, I've heard three numbers: 132, 133 and 134. Anyway, there are 132 that receive money from the gaming revenue sharing agreement, so that's almost all of the First Nations. And then there's \$5.4 million directly to 37 aboriginal communities for renewable energy initiatives, because, of course, renewable energy is of great interest to the First Nations and Métis communities. So there's a lot that's going on. We just made an announcement recently that we're expanding the aboriginal loan guarantee program from, I think it was, \$250 million to \$400 million. That would allow First Nation and Métis participation in our green energy economy.

So all of that is in place already, and it has all been put in place specifically to allow First Nations to take part in economic development.

And one I didn't mention is the aboriginal procurement policy, which again we hope will support aboriginal businesses in their business relationships with government.

**Mr. John Vanthof:** I'm going to switch gears a little bit again. We spent some time yesterday talking about education, and education on reserves is largely federal, the different education levels. But there are some schools that are predominantly First Nation that aren't under federal. That would be Moosonee, Moose Factory; right? Would they be better? Would schools—and I believe they're lumped in now with Timmins—be better with their own micro school board which would actually understand the issues as opposed to me trying to understand their issues, sitting in Timmins or Earlton?

**Hon. Kathleen O. Wynne:** It's very interesting that you asked me that question because actually when—you're talking about the Moosonee and Moose Factory boards?

**Mr. John Vanthof:** Yes.

**Hon. Kathleen O. Wynne:** I certainly won't speak for the current minister, and you may want to ask her this question directly, but I will say to you that when I was the Minister of Education we actually embarked on exactly that project to attempt to facilitate a discussion among all the school boards, because there was a very small Catholic board, the public board and then there was the First Nations school. My hope was that there could be a community discussion, and I was in Moosonee and I was in Moose Factory and met with the various trustees. We weren't able to reach a resolution. It was my thought that we have 72 school boards in Ontario and perhaps there could be a 73rd board that would be of a different model, but we couldn't reach a consensus on that.

The concept, though, that there is a different way of delivering education in some of the more remote communities and that there needs to be a different kind of co-operation among the federal government, the provincial government and the First Nations delivery organizations I think is at the core of some of the work that we're doing right now. Unfortunately, we couldn't get there in Moosonee. That was a number of years ago, when I was the Minister of Education. There may be another conversation that needs to happen. But I'm certainly, as the Minister of Aboriginal Affairs, open to being part of those kinds of conversations and calling Canada to the table to have those conversations with us.

**Mr. John Vanthof:** I'm glad to hear that you would be willing to perhaps revisit this, because in our view, if we could create it in one place, perhaps, as part of the conversation we could say, "It's possible. Look at how we do it here" So we could show the feds, "Look, it is possible to actually"—

**Hon. Kathleen O. Wynne:** But you know, Mr. Vanthof, I think one of the things that really has to happen is that—and this is a learning for me. The impetus

for that kind of collaboration can be facilitated by government, but there has to be a willing community to take part in that. That is not something that can be imposed on a community. It really has to grow up from the community and people have to be willing.

My concern was that there were resources that could be shared among all of the schools and in fact with the municipality. I'll be honest with you: As recently as this past week, when I was at the Association of Municipalities of Ontario, I suggested to the Moosonee councillors who came to visit me, the local government people, that maybe they would want to speak with the school boards about sharing resources, because there are public spaces in those schools and there are resources that are funded by governments that could be of use to people in the community; I used the library as a specific example of that.

I think that whatever we can do as MPPs, as ministers, as ministries to encourage co-operation among various school boards, among school authorities and among municipal governments with those education institutions, we should be doing that. I think it's something that is part of our responsibility because it means that all of the members of the community, aboriginal or not, have more access to those public resources. It's something that we can each do as a local MPP.

**1610**

**Mr. John Vanthof:** I'm happy to hear that, because I really think that that's something—it's not as big of a problem in the south, but in the north, in an area like Moosonee or Moose Factory, it's a huge problem. As boards, that's something we experience in the north, not just First Nations, but all of us as all types of boards—representation by population. Sometimes, you know, you're actually going into—and as a former Minister of Education, you would understand this. Eventually, the role of the elected trustee will soon be over in northern Ontario because it's not a full-time job and you're not going to travel 500 miles for an evening meeting, you know? For the First Nations it's an even bigger problem because you're not going to go from Moosonee to Timmins or wherever for a meeting. So right away you're not represented.

**Hon. Kathleen O. Wynne:** I think I'm meeting with them next week, actually, the First Nations trustees. One of the groups that I'm very interested in working more closely with is the First Nations trustees who are represented on provincial school boards because they have children from their communities who attend provincial schools. So I think that we have a lot to learn from them about the relationship between those federally funded schools and the on-reserve schools that many of our First Nations kids attend, but also the connection with the provincial schools. So I'm meeting with them—I have met with them previously—and I'm going to be using them as a resource.

**Mr. John Vanthof:** One other comment: We were talking about how hard it is for First Nations kids, let's say, if they're on a reserve until grade 8 and then they go

off-reserve for four years of high school. If you think about it, if my kids went to basically another country for four years of high school, a totally different culture, they wouldn't do any better than a lot of First Nations kids, right? Their problems aren't different and their society isn't really different; their circumstances are incredibly different.

**Hon. Kathleen O. Wynne:** And the geography dictates so much of that, so that becomes part of the calculus of how we find a resolution for these kids in closing that achievement gap.

**Mr. John Vanthof:** Yes. Given that, there's a lot—we're talking long-term; there are a lot of short-term things. So how will the cuts to community start-up maintenance benefit and home repair benefit affect First Nations?

**Hon. Kathleen O. Wynne:** Sorry, say that again?

**Mr. John Vanthof:** How will the cuts to the community start-up and maintenance benefit and home repair benefit affect First Nations people living on reserve?

**Hon. Kathleen O. Wynne:** You're talking about the discretionary—the Ontario Works issue?

**Mr. John Vanthof:** Yes.

**Hon. Kathleen O. Wynne:** We're very aware that there was a concern raised about those changes. As you may or may not know, at this point we're providing First Nations with temporary relief from compliance with the new cost-sharing formula until April 2013. I met with the First Nations leaders. Minister Milloy's staff were there as well. We were concerned that there needed to be some time to resolve some of these issues. What this timeframe will allow us to do is to work with First Nations to better understand how the discretionary benefits were used, to understand the implications of the new cost-sharing arrangements. It is complicated because there is an agreement with Canada. We can then explore some approaches that will allow us to address whatever the unique situations are faced by First Nations communities. Because one of the—

**The Chair (Mr. Michael Prue):** And with that, I have to stop you.

**Hon. Kathleen O. Wynne:** Okay. We can come back to that.

**The Chair (Mr. Michael Prue):** Okay. Just remember where you were.

Over to the Liberals. Mr. Zimmer?

**Mr. David Zimmer:** I guess we had the sort of view from 30,000 feet from my last series of questions, but now I'd like to drill into some black and white stuff, perhaps, economic development.

The new relationship fund: I read over the materials about it and I'm very interested in just what the new relationship fund is and how you envisage that assisting you in your endeavours at the ministry. The new relationship fund, as you recall, was a key recommendation coming out of Justice Linden's report on the Ipperwash inquiry. What's the theory behind it? How does it work? What's your vision for it? Where do you think it's going to take us?

**Hon. Kathleen O. Wynne:** Thanks for the question. I talked earlier about my role and our ministry's role as facilitator and coordinator, and I think that concept can really be applied to the new relationship fund, because what it is designed to do is provide communities with the tools that will support the kind of long-term, sustainable economic growth that obviously needs to be in place if there's going to be any kind of effective long-term change. As I said to Mr. Vanthof, it's designed to allow aboriginal communities and organizations to take part in the consultation engagement that's critical to the relationship between government and aboriginal people.

The new relationship fund will provide \$14.5 million in project funding for core consultation capacity agreements and enhanced capacity-building projects in 2012-13. That just means that people who are living in communities will actually be able to travel to where they need to go, have the documents they need to have and get background material together in order to take part.

I think we in government sometimes make assumptions about people being able to take part in discussions. We, as MPPs and ministers, have a lot of staff and a lot of support behind us that allow us to engage in conversations. Staff have staff to support them, which allows them to get background information. All these binders are created by people who provide information and hand me things so that I'm able to take part in a discussion or answer a question. That's not necessarily in place—it's not in place at all—in many of the communities we're talking about. So that kind of capacity, which kind of levels the playing field to some extent and allows us to engage with each other, is really at the core of the new relationship fund.

I've talked about building capacity and participating in real consultation and engagement with provincial and municipal governments, because First Nations and aboriginal people need to be interacting with both orders of government; also allowing cultural mapping projects to assist with the discussions, just to get more information about the communities; initiating community outreach programs to engage elders and youth on land and resource matters; and working with the private sector developing joint venture agreements and initiating economic development projects.

I think it's important that I let the committee know that our ministry has undertaken a program evaluation of the new relationship fund, and I want to share some of the results of that with you, because sometimes there's a lot of fanfare about the initiation of a fund and some of the projects that the fund is able to support, but you don't hear about what the results are.

What we have found is that all the core consultation capacity funding recipients have hired a core consultation point person. So they've actually used that funding to acquire some human resource capacity. Having a core consultation point person has been important in bridging aboriginal communities and organizations and industry, so we've seen those relationships developed because of that extra capacity.

Having an internal consultation protocol in place provides benefits not only for the aboriginal communities and organizations and their members but to industry and government proponents as well. So what we've found is that the level of engagement, the ability to engage, benefits the whole conversation, obviously. It's not just that it allows the aboriginal community to come to the table, but it allows government and the private sector to engage in a more productive way.

The new relationship fund supported the development of a wide range of these partnerships. From 2008-09 to 2011-12, the new relationship fund provided \$51.3 million in funding to support over 465 projects in 135 First Nations, 33 Métis communities and 22 aboriginal organizations—that's a total of 190 recipients—and created more than 480 jobs. I think that's a significant statistic. And since 2008, the 480 jobs, as I said, have been created and the fund has funded administrative and technical training to over 4,300 aboriginal people. That training allows for skills development that will make a lasting difference.

#### 1620

So thank you for asking about the new relationship fund because I think it's an important symbol of what we believe, and it is having an impact.

**Mr. David Zimmer:** And if I could just follow up with perhaps some concrete examples of the new relationship fund, actually how it plays out in communities. I know the new relationship fund has had a big effect or played a role in the Big Grassy River First Nation and how they're moving ahead on mining opportunities. For instance, can you give us some detail how the fund—the theory of the fund that you've just explained—and how it actually plays out on the ground, if you will?

**Hon. Kathleen O. Wynne:** You mentioned Big Grassy River First Nation. I talked about the fund hiring those core consultation people. That's what happened at Big Grassy River First Nation. There was a core consultation point person who was hired. What that led to was the development of a process for community decision-making on land and resource issues. There was the establishment of the Big Grassy River elders' advisory council, the development of terms of reference to guide their involvement in the community's land use planning initiative.

You will know that we have put in place frameworks for land use planning, but, again, we need the First Nations and aboriginal communities to be able to take part in that, and so part of the result of the new relationship fund in this community was that they were able to develop a process whereby they could take part in the land use planning.

A comment from the First Nations core consultation point person explains what the new relationship fund has meant for the community, and I'll quote those words: "We regard the success of our initiatives in human terms as well as economic. We have made significant advances toward imparting skills, knowledge and confidence within the community."

Following the signing ceremony between the mining company and the First Nation, one of the elders put into very simple terms what building consultation capacity meant, and what was said was: "I have been to these things before and just sat there. This time I knew exactly why I was there and understood everything they were talking about."

I think that's what capacity means. It means the ability to take part but to also have a role and to understand what the decision-making process is and to be part of that.

The Fort William First Nation, another example, again—

**Mr. David Zimmer:** That's the wind and solar?

**Hon. Kathleen O. Wynne:** Yes, the wind and solar opportunities in the Fort William First Nation. Right now, consultations are under way on a number of renewable energy projects, including an on-reserve wind farm and solar farm as well as a lake wind farm. That core consultation funding has allowed the Fort William First Nation to take part in that consultation.

Another example is the Serpent River First Nation, and they're working on energy resource and economic development opportunities. With new relationship fund support, the Serpent River First Nation undertook a number of projects in 2010-11 and the money from the new relationship fund, again, was used to hire a core consultation point person and has led to the drafting of a land use plan, the development of an internal consultation protocol, community presentations on topics such as hydro power, wind power, aquaculture, aggregate development and potential industry partners, and has also provided the opportunity for some special sessions to the community to improve and enhance the awareness of employment opportunities in land resources and economic development.

It's interesting. It ties back to something I said yesterday about exposure and opportunity. One of the things that the new relationship fund provides is access to information about opportunities: Who are the potential players? Who could we be connecting with? How do we do that? Where do we find the information about those opportunities? It has allowed for the reduction of isolation from those economic opportunities.

**Mr. David Zimmer:** That's sort of on the operating side, but then of course there's a great need for capital dollars for aboriginal communities to do the things that communities do with capital dollars. I understand that the aboriginal community capital grants program is in fact getting capital for capital projects into the hands of communities. I was particularly interested in—and I apologize; I'm going to have trouble pronouncing this First Nation—the Aamjiwnaang First Nation community centre. It has, I understand, been the beneficiary of some capital grants, as has the Kingfisher Lake First Nation and the Ontario Native Women's Association community centre. I think those are fine examples of capital dollars wisely spent. I wonder if you could give us a little bit of—

**Hon. Kathleen O. Wynne:** Yes. I'll give you the details on those three in particular, but there are business

centres and friendship centres around the province that have benefited from these capital grants. What it has meant is that in many cases, old buildings that really were disintegrating or buildings that didn't have upgraded technology have been able to upgrade and provide much better space for people in the community.

On those three, the Aamjiwnaang First Nation community centre—that was a grant of \$500,000 that helped to build a community centre. It has become a focal point for the social and cultural activities on the reserve. More than just the space, it has allowed for the development of activities like the healthy babies and diabetes program. So the capital dollars are tied to the provision of programs that can really promote health and wellness. Some of them are dealing with the issues that are at the root of poverty.

Kingfisher Lake First Nation is one of the communities that has developed a small business centre. There was a grant of \$750,000 that supported that small business centre. Eleven jobs were created as a result of the project: two jobs related to facility operations and nine jobs by tenant businesses in that centre.

The Ontario Native Women's Association community centre: A grant of \$500,000 assisted ONWA to build its own community centre, and 11 jobs were created as a result of the project. We anticipate that more than 10,000 clients will be served through the new centre.

As I said, there's a range of those kinds of projects around the province that allows for the creation of new jobs, for the bringing together of aboriginal organizations to provide hubs of activity, information and resource-sharing and at the same time provide the kind of programming that members of the aboriginal community are looking for.

**Mr. David Zimmer:** I have a question that's sort of dear to my heart. I've been up there travelling around, and one of the things that just pulls at my heartstrings—I see youth, I see 11- and 12-, 13-, 14-, 15-, 16-year-olds, and in these small, isolated communities, they do their schooling and so on, and unlike their peer groups in southern Ontario, in the non-aboriginal community—down here in the south, we have a rich availability of extracurricular activities. You can go to school and you can go to this club and you can go to this club and you can do a trip. Parents can keep their children occupied after school, all evening long and on the weekends, and it develops confidence, skill sets, hobbies and interests, and it fires up their imagination, their ambition and all of those things.

**1630**

But I get the sense, in walking through some of those communities, particularly Attawapiskat and in the Far North, when I see the people in that age group—I don't see them in the classroom, but I see them outside on the streets of the community, and I get the sense that at some level there's just nothing much for them to do and that terrible, terrible boredom sets in. If you bore someone sufficiently, you know, anxieties and depressions and all of that set in. And I've always thought how sad that is

that they don't have the same extracurricular sort of mental activities. I know that there's something where they were reaching out to private partners to help them with these ideas, and get them involved. Can you elaborate on how you feel about that issue of having these people sit there and be bored to death?

**Hon. Kathleen O. Wynne:** Yes, I agree with you. When I was at Pikangikum, we were driving out of the community, and there was a young kid with hockey equipment over his back, walking to the arena. It was a long walk to the arena in the dark, and one of the things that one of the leaders said to me was that they needed more equipment, so we've tried to work to get some more equipment to the community.

I think I talked yesterday about working with Right to Play.

**Mr. David Zimmer:** Yes.

**Hon. Kathleen O. Wynne:** The Right to Play organization has engaged the private sector to a very large extent. We have put some money in too—about \$1 million a year—and we are supporting the development and the expansion of this program called Promoting Lifeskills in Aboriginal Youth, the PLAY initiative. It's the program that we've put in place with Right to Play to help young people develop their—really, these are leadership life skills that they will be able to use for the rest of their lives. But, at the same time, what the program does is it actually provides activities, equipment and opportunities for kids to learn to play games and be involved in something before and after school.

We've engaged four pilot communities—so Moose Cree First Nation, Sandy Lake First Nation, Marten Falls First Nation and Wapekeka First Nation—in the design of these programs that are benefiting their communities, but there are 39 partner communities that are involved in the leadership program. So there are some intensive activity-based programs in some of those pilot communities, and then the leadership program is much broader.

We calculate that our support is helping more than 1,000 aboriginal youth to develop some of these skills, and as of June this year, there were 134 youth-led events that had been planned and hosted across those 39 communities. So the young people who are part of the leadership program are developing life skills, but they're also providing programming for kids in their communities. They work with some of the younger kids and provide events.

I have a quote from Grand Chief Randall Phillips of AIAI, who says, "It's not just this notion about Right to Play. It's about leadership. It's also about training. It's about skill set development. Then you take that back home and put it to community use. I can't see how, when people find out about it, they won't be excited to participate." He said that August 5 last year, and that was as we were getting the program under way.

There has been a lot of excitement about the engagement with Right to Play. Not that long ago—a couple of months ago—I met with some of the private sector partners, and we brought in new private sector partners to

try to engage them in being part of the Right to Play, because this is definitely not something that is strictly a government initiative. This is about the First Nations communities, the private sector and government working together to provide these opportunities for kids.

Having said that—

**The Chair (Mr. Michael Prue):** No, no. I'm going to stop you right there.

**Hon. Kathleen O. Wynne:** All right.

**Mr. David Zimmer:** I'll come back to it.

**The Chair (Mr. Michael Prue):** Think about what you want, and back to the Conservatives.

**Mr. Rick Nicholls:** Thank you, Mr. Chair.

Minister, yesterday with Mr. Barrett we talked a little bit about Caledonia. He gave us a history lesson, actually.

**Hon. Kathleen O. Wynne:** Do you want any more information on Caldwell?

**Mr. Rick Nicholls:** I'm sorry?

**Hon. Kathleen O. Wynne:** Do you want any more information on Caldwell?

**Mr. Rick Nicholls:** Oh yes, sure.

**Hon. Kathleen O. Wynne:** Because I do have some. I don't mean to interrupt you, Mr. Nicholls, but I do have some more information if you'd be interested.

**Mr. Rick Nicholls:** You know, I would be, actually. If you have some more of that, that would be fine.

**Hon. Kathleen O. Wynne:** I do.

**Mr. Rick Nicholls:** Boy, when you say you're going to get back, you get back in a hurry.

**Hon. Kathleen O. Wynne:** Exactly. We don't mess around.

**Mr. Rick Nicholls:** Neither do we.

**Hon. Kathleen O. Wynne:** I'm going to read to you what my folks have been able to determine.

It was a pre-Confederation land claim filed and settled with Canada in 2011, and Ontario was not a party to this agreement. We understand that the agreement provided cash compensation totalling \$105 million and that this money can be used by the First Nation for economic development or buying land available on the open market. According to the federal media release, the First Nation is able to purchase up to 6,540 acres of land and ask Canada to add these to their reserve. I'm assuming they would have to go through the addition-to-reserve process with Canada.

**Ms. Laurie LeBlanc:** I think the one point to make here is that Caldwell is one of the very few First Nations that is landless. They don't currently have a reserve. So this will be a reserve.

**Hon. Kathleen O. Wynne:** And it will enable the Caldwell First Nation to actually establish a home community.

**Mr. Rick Nicholls:** Okay. I think—I stand to be corrected—that it's down in the Leamington area that they are now. Is that what you're—

**Hon. Kathleen O. Wynne:** The Leamington area, yes.

**Mr. Rick Nicholls:** The Leamington area? Okay.

Were you able to identify how many members of the Caldwell First Nation there are?

**Hon. Kathleen O. Wynne:** No. Because we weren't party to that process, we don't necessarily have that level of detail.

**Mr. Rick Nicholls:** It's more of a federal thing.

**Hon. Kathleen O. Wynne:** Yes, we weren't at the party.

You were asking for some details about the Wabigoon settlement. There are no conditions on the dollars. So of that \$27 million, there were no conditions on how that was to be spent. It's compensation for the provincial wrongdoing, i.e. the flooding. The First Nation has established a trust, and the trustees get to choose how that money is going to be spent; they're able to do that.

The media has reported that the First Nation has made a payout to its members. That's their internal decision, but that is what I was told at the time I went to Wabigoon Lake.

When I was in the community, I had the opportunity to visit a tree nursery. There were six million baby trees, and they—

**Mr. Rick Nicholls:** Wow. I wouldn't want to have had to count those.

**Hon. Kathleen O. Wynne:** It was unbelievable. They plant six million of these seedlings and four million live, apparently, and they have contracts with companies to reforest where there has been logging. Part of that \$27 million supported that economic development.

The other thing they were growing that's not in the note—they were growing grapes in the greenhouse. I don't know: Maybe there's a winery coming.

**Mr. Rick Nicholls:** No comment.

**Hon. Kathleen O. Wynne:** It was beautiful.

**Mr. Rick Nicholls:** Excellent. I appreciate that. Thanks for the insight. I really and truly appreciate that.

Again, compliments to your staff, who were so quick and efficient in getting the information.

**Hon. Kathleen O. Wynne:** They are awesome.

**Mr. Rick Nicholls:** I appreciate that very much.

If I can just kind of backtrack a little bit, as I mentioned, Mr. Barrett gave us a bit of a history lesson on Caledonia yesterday when he was here. I would just kind of like to address a couple of quick questions regarding Caledonia, if I may.

It's well known that the current situation in Caledonia is holding up a \$100-million transmission line project that would in fact supply power to the surrounding area. I guess my question to you, and forgive me if it's a repeat, but have you or your ministry addressed the issue with native occupiers in your recent visits to Caledonia?

**Hon. Kathleen O. Wynne:** What I have tried to do—and I think I said some of this yesterday.

**Mr. Rick Nicholls:** Yes.

**Hon. Kathleen O. Wynne:** What I have tried to do since I was appointed to this ministry is meet with all the parties, which I have done.

**Mr. Rick Nicholls:** Build relationships.

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**Hon. Kathleen O. Wynne:** Yes. I've tried to build those relationships. There are complex internal conflicts,

and we are not, as the provincial government, going to be able to resolve all of those.

There's a conversation between the community writ large and the companies interested in energy development on the territory, and those are again complex conversations made more complex because of internal issues within the community. I have seen it as my job to get to understand the perspectives of all of the players. By that, I mean the groups within the Six Nations, the First Nations community, but also the municipalities. That's why I've met with the mayors, to say to them that I'm open to everybody coming together, and specifically I'm interested in engaging with the municipalities, the businesses and Six Nations to try to find some solutions that arise around development, to look at the uses of the Douglas Creek Estates property.

**Mr. Rick Nicholls:** I appreciate that, too. I guess I'm concerned about why it has taken so long and what are the real issues. Because sometimes, the longer it goes on, the real issues become a little foggy and as a result other issues tend to take over. I guess I'm just concerned. I appreciate the fact that you are working at building relationships. What is the real issue behind it all?

**Hon. Kathleen O. Wynne:** There have been some resolutions. The Six Nations elected council conducted a community engagement process that went from March 5 to April 3 of this year, 2012. They were consulting on participation with Samsung in the Grand Renewable Energy Park. I think that's one of the projects that you might be referring to. As a result, the Six Nations elected council finalized an agreement with Samsung. Now Samsung and the Haudenosaunee Development Institute, HDI, which was created by the Haudenosaunee Confederacy chiefs' council, is currently negotiating a separate benefit agreement.

It's not that nothing is happening. Those issues are complex, but there has been some resolution to some of them. Where we're engaged is on the Douglas Creek Estates, and I understand that there are lots of concerns about that. That's why I've tried to work with the various players to see if we can begin a conversation about the use of that land.

Underlying all of that, and Mr. Barrett was skirting around it yesterday, is a land claim that some recognize and some don't, but the federal government has to be part of that conversation. That's why, in my opinion, there hasn't been as much progress as there could have been, because we haven't had the federal government at the table for a matter—it's years now.

**Ms. Laurie LeBlanc:** Since 2009.

**Hon. Kathleen O. Wynne:** Since 2009. Since 2009, the federal government has not engaged in this conversation. It's not surprising to me that we haven't been able to move forward.

**Mr. Rick Nicholls:** Because that's three years now. I do know that the situation down there at times has been a little intense.

**Hon. Kathleen O. Wynne:** Yes, and I think that we can, as a provincial government, work to facilitate a con-

versation about some narrow issues, but the underlying issue is, if the federal government doesn't come to the table, that 200-year-old land claim can't be resolved, because the federal government is part of that.

**Mr. Rick Nicholls:** I see. Thank you for that, too.

Back on March 13, a recent article in the Toronto Sun noted that the province is paying utilities for those occupied homes in Douglas Creek Estates. At present, \$40,000 has been paid out by now—nearly \$420 a month. Was it your recommendation that the government pay for the utilities?

**Hon. Kathleen O. Wynne:** I'm going to ask one of my staff members to speak to this, but as I said yesterday, all of those expenditures are on our website and I think you can have access to those. We have a responsibility for the safety of the site. I'm going to ask—who am I going to ask to come forward? Laurie?

**Mr. Rick Nicholls:** While they're looking, maybe I can ask you a quick question. When you said you're responsible for the safety of the site, can you elaborate on that for me just a little bit, please?

**Hon. Kathleen O. Wynne:** I'm going to ask Laurie LeBlanc to speak to this.

**Mr. Rick Nicholls:** All right. Thanks a lot.

**Ms. Laurie LeBlanc:** So, as part of the arrangement—and I'm sorry, I'm just looking at my reference to my notes here—we wanted to ensure that we paid the hydro and kept the lights on. "Safety" really means on the site itself. We want to make sure that it's kept up, it's maintained, and I believe this is through Infrastructure Ontario. So—

**Hon. Kathleen O. Wynne:** Yes, through the Ministry of Infrastructure.

**Ms. Laurie LeBlanc:** That's right.

**Hon. Kathleen O. Wynne:** In fact, I had a question from someone—a councillor from the community, from the municipality actually—at AMO last week about the cutting of the grass, for example, and the Ministry of Infrastructure is responsible for making sure that the grass is cut. The question was, there was some detritus, some garbage that had been thrown on the site, and the grass hadn't been cut under the garbage. Infrastructure had asked that the community members take that stuff off the site and the grass was cut around it. So there are issues like that.

If you've seen the site, it's very large. There are lots of weeds growing on it, so it does need to be kept in some kind of repair. So the Ministry of Infrastructure is responsible for that.

**Mr. Rick Nicholls:** Maybe we need to talk to the Ministry of the Environment—a little weed control out there, something along those lines.

**Ms. Laurie LeBlanc:** Although actually maybe we could bring in some grubs from other parts of Ontario—

**Mr. Rick Nicholls:** Down in our area where it's been quite dry, you might be able to find a few of those.

**Ms. Laurie LeBlanc:** Maybe just to add to that, it is about \$9,000 a month in the last year or so that the Ministry of Infrastructure pays, and those costs are related

primarily to property tax, hydro, water and sewer and, as we said, cutting the grass and that basic maintenance.

**Mr. Rick Nicholls:** So a question for you then: Prior to these homes being occupied, the condition of the homes and the property around—good shape? Were they brand new? Were they almost finished?

**Hon. Kathleen O. Wynne:** Are you talking about property on—

**Mr. Rick Nicholls:** In the Douglas estates.

**Hon. Kathleen O. Wynne:** Douglas Creek?

**Mr. Rick Nicholls:** In the Douglas Creek Estates, yes. Sorry, I wasn't clear.

**Ms. Laurie LeBlanc:** At the time, my understanding—and staff can tell me if there's some supplementary information—is it was in the development stages. So much of the relationship at the time was with the developer. I believe it was Henco, if my memory serves correctly.

**Mr. Rick Nicholls:** Okay.

**Ms. Laurie LeBlanc:** So many of the houses had been built but not yet occupied in that particular development.

**Mr. Rick Nicholls:** All right. So now, this developer is unable, obviously, to sell the homes that have been put up. He has money invested in these estates. I understand he has tried to go back in, but was unsuccessful and there were a few tense moments, to say the least. So has the government been able to reconcile with this contractor, pay him his expenses, his costs? Can you expand on that for me, please?

**Ms. Laurie LeBlanc:** This, of course, was a number of years ago. There was a great deal of negotiation with the developers. There were also conversations that were going on with the municipal council at the time and some of the businesses. What the government did was establish a number of things, and part of it was basically buying out—Henco was the development company and the builders, so that was part of it, and this is on our website as well.

We provided what we called at the time a business recovery program and a residential assistance program. That was to help some of those individual businesses and homeowners who had a direct impact at the time in 2006.

**Mr. Rick Nicholls:** Is that when those homes were being built? I'm sorry. Is that when they were—

**Hon. Kathleen O. Wynne:** So in July 2006, the \$15.8 million was the amount purchased—we purchased the Douglas Creek Estates. So that's when this was happening.

**Mr. Rick Nicholls:** The Ontario government purchased the Douglas Creek Estates?

**Hon. Kathleen O. Wynne:** It was public infrastructure renewal, which is now Infrastructure Ontario, yes.

**Mr. Rick Nicholls:** Okay.

**Hon. Kathleen O. Wynne:** And that was a purchase from Henco Industries.

**Mr. Rick Nicholls:** You know, I think about it and I kind of go "wow." Here's this land, a developer goes in, buys the land, everything goes through; begins building

on the land, then all of a sudden, once he gets it to a certain point, suddenly there's a land claim and there are occupiers who take over and he's unable to finish. Business basically stops for him.

**1650**

What were the criteria or what kind of brought it all about? Had there been any advance warning at all that there were going to be any issues with this land? Because the fact is that he was able to go in, and now it has cost the Ontario taxpayers \$15.8 million, I think you said, to I guess reacquire the land. Is that correct, Minister? Would that be a correct term: "reacquire the land" from the—or to pay those kind of damages to the contractor?

**Hon. Kathleen O. Wynne:** I'm going to get staff to give me some dates in terms of the land claim, but I just want to repeat what I have said previously, which is that there are other parties to this process who are not here.

**Mr. Rick Nicholls:** I understand.

**Hon. Kathleen O. Wynne:** The federal government is an integral part of finding a resolution on this issue.

I hear your—I mean, you haven't said it explicitly, but this was a difficult situation for this business owner, obviously. They made an investment and were looking to realize a profit and got caught up in what is a very old conflict. What we did as a provincial government was work to resolve the immediate issue, but the larger issue is the land claim that the federal government needs to be part of, and that's why there was a process set in place. As I said, that process has not been able to continue because the federal government has not been part of it since 2009.

Just in terms of the dates and some of the history—

**Ms. Laurie LeBlanc:** If I could just add a little bit: I think, as the minister said yesterday, there are 28 unresolved specific claims filed with Canada. In 1995, Six Nations commenced litigation against government about the land claims. In 1995, the actual litigation started as well. So there were some conversations that were going on before that time, but formal land claim negotiations have not taken place since October 2009. That's essentially when the federal government decided that they were not going to engage any further in that.

**Mr. Rick Nicholls:** You didn't say stepping away, just not further engaging at this point in time.

**Hon. Kathleen O. Wynne:** It's a fine point.

**Mr. Rick Nicholls:** I don't want to put words in your mouth.

**Hon. Kathleen O. Wynne:** And I don't know how long Henco Industries owned that land. I just don't know that.

**Mr. Rick Nicholls:** Don't you find it interesting how—you're saying back in 1995 is when the land claim dispute started.

**Hon. Kathleen O. Wynne:** Well, a number of them. There are 28.

**Mr. Rick Nicholls:** A number of them?

**Hon. Kathleen O. Wynne:** Yes.

**Mr. Rick Nicholls:** Okay, and yet he was still allowed to go in and build on property where, in fact, there was a

land dispute. To me, that's risky, speaking in business terms, because what would he do if the lands—perhaps he was thinking that once the buildings were built, then they're not going to move them—

**Hon. Kathleen O. Wynne:** I can't speak to that.

**Mr. Rick Nicholls:** I know you can't answer that.

**Hon. Kathleen O. Wynne:** I can't speak to that dynamic. I can't speak to the motivation or all of what went into Henco Industries making that decision. I can't.

**Mr. Rick Nicholls:** Yes?

**Ms. Laurie LeBlanc:** Just one thing maybe to add from the land claim perspective is that often land claims are on lands that are currently owned—they're fully developed and they are owned by private interests. A large part of the negotiation process is, how do you reconcile that? Sometimes it's a cash—

**Hon. Kathleen O. Wynne:** Compensation.

**Ms. Laurie LeBlanc:** Compensation. So it's often not about the specific land that the land claim is about, because it currently has other uses. So that's part of the typical process that happens in land claims.

**Mr. Rick Nicholls:** I guess there isn't any one of us in this room—

**The Chair (Mr. Michael Prue):** You have 40 seconds.

**Mr. Rick Nicholls:** Certainly there isn't one of us in this room that would certainly hope that the homes that we own now won't sooner or later become part of a land claim and we would be forced to vacate as well. That's a little tongue in cheek, I know, respecting the fact that there's a party that perhaps isn't here.

I think my time has pretty much run out now—

**Hon. Kathleen O. Wynne:** You've run the clock.

**Mr. Rick Nicholls:** —but thanks for your insights, Minister. I appreciate it.

**The Chair (Mr. Michael Prue):** NDP?

**Mr. John Vanthof:** Thank you, Chair. The last time I had a turn, I think we had just started the discussion, Minister, regarding the changes in OW and ODSP and how they would affect First Nations.

**Hon. Kathleen O. Wynne:** Right. I'll just go back to what I was saying about the current changes that we're looking at in terms of the discretionary benefits. I think I said that we're providing a year in which to have that conversation, till April 2013. What I was going to say when we ended was that one of the things that is going to be part of that discussion—and we have talked about this with some of the leadership—is the way these discretionary benefits have been used. There's a wide range, across the province, of uses for these discretionary benefits. We just need to get a handle on what it is these are for. They typically have been for health concerns, short-term issues, but in some places, they have been used for housing and some capital investments. Technically, that's not necessarily what they were for. Again—it sounds like I retreat behind this, but I'm not—the reality is that for some of the expenditures, we have questions about whether they're actually things that the federal government has responsibility for and has backed away from.

So there has been some sort of scope creep in terms of these discretionary benefits. That's hypothetical on my part, but it's the kind of question that I think we need to look at: What's the scope of these discretionary benefits? As I say, the Minister of Community and Social Services is working with us on this.

I want to talk just for a moment about how social assistance is funded to give you a bit of background. There is a memorandum of agreement respecting the welfare program for Indians—that's what it is called. It's also referred to as the Indian welfare services, or IWSN, agreement. Colloquially, it's talked about as the 1965 agreement. In that, Ontario assumes responsibility for the provision of provincial welfare programs on First Nations, but then the federal government reimburses Ontario for 92% to 93% of the eligible expenditures. That issue of eligible expenditures becomes part of this conversation: What is eligible for reimbursement and what's not? The Ministry of Community and Social Services administers the IWS agreement on behalf of all of our Ontario ministries, and the Department of Aboriginal Affairs and Northern Development federally administers the IWS agreement and reimburses Ontario on Canada's behalf.

Since the agreement was signed, the federal government has not been providing the same level of services it agreed to in 1965. For instance, child care rates have been capped since 1992, so they've stayed stagnant at the 1992 level. Based on per capita costs, the cost-sharing reimbursement formula is set out in the agreement, and it changes annually. Currently, this agreement, the IWS, covers the following provincial welfare programs: It covers Ontario Works, the financial assistance and employment assistance, with the cost of administration, all of that through the Ministry of Community and Social Services; it covers the child and family services program, child protection and child welfare prevention, which is through the Ministry of Children and Youth Services; it covers the child daycare program, and that's through the Ministry of Education; and the homemakers program, through the Ministry of Health and Long-Term Care.

**Mr. John Vanthof:** On the child care: The federal government unilaterally capped that? That was part of the agreement—or they just sent a notice and that was it?

**Hon. Kathleen O. Wynne:** I think they just decided to cap it, because it's not something that we would support.

**Mr. John Vanthof:** Okay.

I'm not that familiar with this, but I'm going to go on. The community start-up and maintenance benefit and the home repairs benefit were changed lately. How would that affect First Nations, and who funds that part?

**Hon. Kathleen O. Wynne:** I think those are both through the Ministry of Community and Social Services. They're all part of this discretionary benefit package that we've been talking about.

**Mr. John Vanthof:** It was transferred, in many cases, to municipalities. So how would that affect First Nations? Would it be transferred to them as well?

1700

**Hon. Kathleen O. Wynne:** These are administered directly to the First Nations, not through the municipalities. Okay?

**Mr. John Vanthof:** Okay. So the changes that affected my municipalities wouldn't affect the First Nations?

**Hon. Kathleen O. Wynne:** What we brought in, the changes to the municipal benefits and to the First Nations benefits, was the same package. But the issue is that in the First Nation communities, they're administered differently, they're reimbursed because of the federal government, and as I say, the scope of those benefits has been different than in the municipalities.

What we did was we worked with the First Nations because what we determined, Mr. Vanthof, was that impact in the First Nations communities was going to be much greater than in municipalities. One of the things that the First Nations said to us was, "As First Nations, we don't have the same recourse as municipalities do, for example, to a tax base or to reserves"—and, by that I mean financial reserves. "We don't have the same tools to backfill or to deal with these costs."

For example, the uploading of costs that we've been engaged in with municipalities that has actually freed up space in their budgets—and we can have a discussion on that wearing my other hat, but that is the reality, that we've been uploading and there's more room, then, for municipalities. That doesn't apply to First Nations because their whole funding structure is different. That's why we felt that it was responsible and reasonable to delay the imposition of this change while we had the conversation with First Nations. It's not a long time. We're talking about April 2013, which will come very quickly, and so we've started that conversation with First Nations to see if we can come to resolution.

I suspect that at some point in that conversation—and Minister Milloy and I and the First Nations leadership will have this conversation, but I suspect at some point we may be going to the federal government and saying, "We've determined that some of these monies were going to fund things that by right should be funded by the federal government." Again, that's hypothetical; I don't know that that's the case, but I'm imagining that may happen.

**Mr. John Vanthof:** I'm going to go back to some of the issues that Mr. Zimmer brought up about black and white.

On the new relationship fund, how does a band go about applying? What stipulations—is there a limit?

**Hon. Kathleen O. Wynne:** You want the technical process.

**Mr. John Vanthof:** What I want to know is, is it available to all bands or is it available on a trial basis to see if it works?

**Hon. Kathleen O. Wynne:** We have people who are very close to the application of the funds. Can I just ask David de Launay to come up and talk to that issue.

**Mr. David de Launay:** So for the new relationship fund it has two components: one is a core funding component and one is an enhanced funding component.

On the core funding component, every First Nation, as the minister indicated in her earlier remarks, is both eligible and is receiving a core component part. That, generally, as the minister described, provides the capacity then to the First Nation to be involved in consultation efforts and to provide the First Nation's point of view. Whether it's holding the meetings—usually it's a staff person who then can galvanize the community, hold the meetings, bring people together, do the appropriate background work on that.

On the enhanced funding, that is then a more limited pot of money that's in the \$14.5 million that we have every year for funding, and we're always oversubscribed for it. It's projects where First Nations would want to be, for instance, more involved in an economic project, so they would bring forward to us a proposal for how they could become more involved. Then we have fairly rigorous criteria for assessing all these projects and determining which ones will get funded. As I say, it's oversubscribed, so there are project proposals that don't get funded.

**Mr. John Vanthof:** I think it's maybe something different than I thought it was. So in a case like the First Nations dealing with the Ring of Fire, is there extra money available for them to consult with the government? Because they're going to be consulting on a much greater basis.

**Mr. David de Launay:** Usually with big projects that ministries have, the ministries themselves will also have funds that they make available to be involved with communities. This is a good question for the Minister of Northern Development and Mines, because I know they have put aside—

**Mr. John Vanthof:** I've got lots of good questions for him.

**Mr. David de Launay:** Yes. But at the same time, these communities are eligible for the new relationship funding. I think the minister talked about the training funds that we had in place for northern communities, and communities in the Ring of Fire are eligible for that. We have a number of sources where they can get money.

But I think an important consideration is that line ministries also make monies available for communities to be involved in projects, and the Ring of Fire would be an example of that as well.

**Hon. Kathleen O. Wynne:** And if I can just add to that, there are a number of ministries involved in the work around the Ring of Fire, so we are actually looking across ministries to see where those pots of money are that can be kind of focused and targeted at providing the supports that are needed. For example, the Ministry of Training, Colleges and Universities: We're in conversation with them about what kind of training dollars might be available specifically for Ring of Fire projects. The new relationship fund: What are the projects that might benefit communities that are getting ready for engagement on the Ring of Fire? It's existing funding, and it's across government.

**Mr. John Vanthof:** Because what I'm hoping—what I'm looking for—in a case like the Ring of Fire, the

quality of the consultation would depend on the quality of the resources that they have, and for both our benefit, because if you have a good consultation process—one of the things that really bothers us in northern Ontario is, what we perceive as lack of consultation actually slows down development instead of speeding it up. You're going to have to face the issues sometime, and you might as well face them up front.

I don't think anyone should have an open chequebook, but how is the process where the First Nations can say, "Okay, we need this and this and this"—or do they have to bargain for the money to hold an adequate consultation? Because at the end of the day, the more we consult at the front—and I can give you examples of where there was lack of consultation, or lack of formal consultation or whatever, where there's no project today where there should have been.

**Hon. Kathleen O. Wynne:** Yes. I'm going to just answer at a high level, and I'm going to ask David de Launay to fill in the specifics.

I agree with you. There absolutely does need to be up-front consultation, but I'm going to go back to a comment that I made yesterday to Mr. Zimmer about the nature of consultation and making sure, as we spend these dollars, as First Nations and aboriginal communities build capacity, that we're clear on what it is we're consulting about, that we have good parameters to the conversation, and that we evaluate together what's working and what's not working. What we don't want to do is collectively put money into process that is process for the sake of process, right?

**Mr. John Vanthof:** Granted.

**Hon. Kathleen O. Wynne:** Because that's not in the best interests of the economic development of aboriginal communities. It's dollars that go into process that leads to a good outcome, that leads to action, that leads to a company getting money or a young person getting training or an older person getting back into training, or that provides health supports for a community. Those are the kinds of consultations that we need to make sure we're engaged in.

Just in terms of the process, David?

**Mr. David de Launay:** Right. Again, we have in the Ministry of Aboriginal Affairs these different sources of funding that are generally available to First Nation communities, that, in your example of the Ring of Fire, those communities can avail themselves of.

But also, the way the line ministries work is to fund consultation processes when they're involved in activities. Again, speaking of the Ring of Fire—and prior to joining MAA, I worked with natural resources for years. We would be involved, for instance, with aboriginal affairs and northern development and mines, with those communities. The memorandum of co-operation that the minister referred to yesterday was initially a joint discussion with the three ministries, and each of the ministries was providing dollars for the consultation effort. That's generally how it's done. So whether it's the Ring of Fire, or there may be another mining proposal

going on—and the same approach will be taken by the ministries. Where there may be a forestry activity going on, the Ministry of Natural Resources will involve the local First Nations, and usually it includes a component of funding the local First Nation so that it has the capacity to be involved in the consultation. That's generally the approach.

**1710**

In general, as well, the Supreme Court cases have been clearer and clearer about our obligations to consult and accommodate, and we are taking that more and more seriously in light of those decisions. Therefore, it's something that ministries are involved in, whether they're resources ministries, like the ones I've mentioned, or social ministries, such as children and youth services or education and others. This is becoming much, much more widespread. Generally, ministries support communities to be involved in these consultations.

**Hon. Kathleen O. Wynne:** And I think it would be fair to say that we're retooling and refining the processes whereby we engage with aboriginal people. That's why in my initial remarks I talked about how, when we came into office in 2003, we were determined to do what we needed to do to change the relationship and to establish a different relationship with aboriginal people. You have to do some concrete things to make that happen. Across a whole range of communities in Ontario, there has been money invested through the new relationship fund to do just that.

**Mr. John Vanthof:** I'll go back to some of my original comments. One of the things, when I talk to First Nations, that causes them and, in the end, causes us all grief is that they, like any other society, have a competitive element. The lack of an overall framework means that if one First Nation thinks that the other one got more, it creates divisions with the First Nations. That's what happened at Wahgoshig. There's a lack of a framework. Everyone is doing something, but—

**Hon. Kathleen O. Wynne:** So you're talking about lack of a funding framework—

**Mr. John Vanthof:** No.

**Hon. Kathleen O. Wynne:** —or consultation?

**Mr. John Vanthof:** Yes, lack of a consultation framework.

**Hon. Kathleen O. Wynne:** Well, as David said, there is increasing pressure on governments to have good consultation guidelines in place. We know that. We have a set of guidelines, and we know that those are going to have to be refined and more formalized over time.

**Mr. David de Launay:** And also that ministries are responsible for—because it's, again, ministries that have the program. If you have a ministry that has a permit or a licence, then that is the action that is potentially impacting on aboriginal or treaty rights and therefore needs to be consulted on.

On the resource industry side, it would be natural resources that would say, "Well, we're going to give this land use permit or this work permit," or whatever it is, and that may have an impact. Therefore, we have a duty

to consult on that. Each ministry, then, takes an approach on how they may impact. In the example you started with, Wahgoshig, MNDM would initiate that.

In MAA, again, the facilitation role, as the minister has talked about, is to try to give general guidance and an interpretation of those legal decisions of the Supreme Court and give them some policy meaning and framing to them so that line ministries can then go out and do the appropriate consultation, depending on what activity they're undertaking.

**Hon. Kathleen O. Wynne:** And I—

**The Chair (Mr. Michael Prue):** I'm going to stop you right there. Think about this.

And on to you.

**Mr. David Zimmer:** Mr. Craitor had some questions.

**Mr. Kim Craitor:** Thanks. I have a couple of questions, Minister.

First, I just want to share with you that I'm very fortunate, in my riding—I represent Niagara Falls and Niagara-on-the-Lake, but particularly Fort Erie. I have the Fort Erie native centre in my riding, and I must tell you, it has been a wonderful experience for the last nine years to be involved with that part of my community. I love going to their powwows. They have the summer and the midwinter powwows. I love the regalia that they wear. I have a better understanding of the significance of it, what it means. I've learned to play the drums, which is quite an art, but more importantly, I've learned to understand the message of these drums and what they mean to the community. It has been just a great opportunity for me to be involved in that community.

One of the things I have to tell you, Minister—and I know you'll appreciate this, because at one time you were the Minister of Education—is that they have a program there called Head Start. That's where the little kids, before they go into school—kind of like what we have, all-day kindergarten, but this is before they go into school. They have the young kids and the parents come in. They have a graduation, and when you go to the graduation, it's almost like you're going to a university graduation or a high school graduation, because they have the caps, they have the uniforms. I've tried to correct them: They have blue uniforms. I'm always saying, "You should have red uniforms." But they have the blue uniforms. They do look good, though. I've always gone—

*Interjections.*

**Mr. Kim Craitor:** I always go—

*Interjections.*

**Mr. Kim Craitor:** For those of you who are watching, I'm being interrupted by the opposition. I just want you to know.

I've always gone to their graduations. I mentioned at one of their graduations, "I've been coming for three or four years, and I've yet to graduate." So the following year, lo and behold, they had me sit up with the little kids, they had a gown made up for me, they gave me a cap, and I sat there and I graduated. My graduation certificate sits in the front of my office, when you come in.

So I'm just sharing with you that I've learned a lot about that community.

We're having the bicentennial of the War of 1812. Certainly, in my riding, it's huge, this event that's taking place. It wasn't that long ago that I had the opportunity of partnering with a member from the NDP and from the Conservatives to introduce a bill to recognize Sir Isaac Brock and had the opportunity to wear the uniform in Parliament.

**Hon. Kathleen O. Wynne:** You did.

**Mr. Kim Craitor:** That was pretty cool.

**Mr. Rob Leone:** It was red.

**Mr. Kim Craitor:** It was red. Thank you, Rob.

I will tell you—and I wanted to get your comments—I learned even more about the role that the aboriginal community played in defining Canada, with Tecumseh, and how they supported the British. Who knows what would have happened to Canada, where we might be, if they had not been actively involved? I have to say this, Minister: Sometimes I feel that they don't get the kind of recognition they deserve, because everything is around the British and the people who were living in Canada at the time. My question to you is, in your role, does that subject come up? Do you hear from the aboriginal community on how they feel about the impact and the important role that they played in defining Canada, and where we would be if it had not been for them standing up and becoming partners with the British?

**Hon. Kathleen O. Wynne:** Standing shoulder to shoulder. Yes, on that specific issue, on the War of 1812, but more generally, indeed, the whole question of how we have written history, how we have read history for the last 100 to 200 years, who we've written out of history or written into history, I think is a very important, if not fundamental, discussion between us and aborigines—First Nations, Métis and Inuit. I think it's a conversation with all aboriginal people. It's one of the reasons that I believe that our history and the way it's taught is changing and has to change. Because it is in schools where we get our first notion of who we are as Canadians, how the country was formed and who the players were in all of that.

## 1720

It's one of the reasons that the aboriginal education strategy that has been in place through the Ministry of Education for a number of years is so important, but it's also why, I believe, we need to do a much better job across all of the grades and across the curriculum in informing the curriculum with information—and better information—about the role of aboriginal people vis-à-vis not just the founding of the country but pre-Canada, pre-Confederation and the very beginnings of the nation at contact. I've said this to many gatherings of aboriginal and non-aboriginal people alike. I think we need to do a much better job across the curriculum of writing history that reflects all of the people who lived here and who live here, all of the groups of people who were here and who came here. I think it's very important.

I think the bicentennial of the War of 1812 has actually raised this issue to the conscious level. I think that

many more people are thinking about it. There have been articles in the paper; there have been pieces on television that I think have helped people to think about who was actually involved in that story.

**Mr. Kim Craitor:** Thank you—

**Hon. Kathleen O. Wynne:** Can I just say that in terms of supporting the initiatives, our ministry has been able to fund the Chiefs of Ontario in a couple of ways: in 2011-12, \$50,000 to hire a scriptwriter to further develop the script for theatrical production on the War of 1812, on the role of aboriginal people; and then, for 2012-13, \$25,000 for the production of a youth welcome video on the same subject. We were able to put some concrete support in place for those celebrations.

**Mr. Kim Craitor:** Do you mind if we just have one other question?

**Mr. Gilles Bisson:** No, no.

**Mr. Kim Craitor:** With the Fort Erie native centre—I don't know if it's the right term, but it's land-based; it's in the community. It's a very large organization for that community. Does your ministry—and I don't know; I'm asking this because I don't know. I know there are different applications they make for funding. They have different programs they'd like to offer to their community, to their children. Because I know they've said to me that they don't come through your ministry; they go through other programs. Is there a reason why? Is there a difference between being up north and being down in Fort Erie?

**Hon. Kathleen O. Wynne:** The friendship centres get their funding from a number of different places. They get some of their funding through the Ministry of Health. They get some funding through, in some cases, the federal government, so there are federal programs that are run out of friendship centres. There's really a patchwork of programs. There's an urban aboriginal strategy that the federal government has got in place and some funding flows to the friendship centres through that. We fund the Ontario Federation of Indian Friendship Centres to the tune of \$789,284. I don't know exactly what the level of funding is for your centre, but we do flow money through the friendship centres.

The local centres would get their funding through the Ontario Federation of Indian Friendship Centres. I don't know which program exactly you're asking about. It may be a program that's funded through the federal government or, if it's funded through us, it comes through the Ontario Federation of Indian Friendship Centres. We fund the central organization, and they fund the local organizations. Okay?

**Mr. Kim Craitor:** Thank you.

**Hon. Kathleen O. Wynne:** But if there's a specific question about that centre, I'm happy to get the information for you.

**Mr. Kim Craitor:** I appreciate that. Thank you.

**Mr. David Zimmer:** Just following up Mr. Craitor on his question about the War of 1812, I was in New York City about a year and a half ago, and I came across a display or an information piece in one of the skyscrapers in

New York City, in Manhattan. I found it quite by accident, but that's where I learned about the huge role that the aboriginal communities—I guess it's the Mohawks down in southeastern Ontario, Cornwall and those places—

**Hon. Kathleen O. Wynne:** Down by Akwesasne.

**Mr. David Zimmer:** —played in the construction of American skyscrapers, and they're highly and well recognized in New York for that contribution.

**Hon. Kathleen O. Wynne:** For working at those heights, yes.

**Mr. David Zimmer:** Yes, the Empire State Building and so on. And the gist of the display was that but for that aboriginal contribution, maybe New York wouldn't have the—but it's interesting that I had to go to New York, really, to find out that piece of information.

**Hon. Kathleen O. Wynne:** Well, exactly. Another thing that our ministry has done is produce profiles of aboriginal veterans, and I don't think people recognize that there isn't any segment of Canadian society that's volunteered in time of war more than the aboriginal community. I think those kinds of facts need to be part of the consciousness of all of us, and the only way that's going to happen is if it happens through our school system.

**Mr. David Zimmer:** An area that we haven't touched on is the relationship or the role of your ministry with respect to Métis affairs, because it sort of bridges into and bumps up against aboriginal affairs. As you know, Minister, in some ways there's a slightly different mindset in the Métis community on a number of issues that play out in the aboriginal community. I wonder if you might, on a very general level, in whatever detail you want to, tell us how the ministry balances these, if you will, many sometimes competing agendas or at least agendas that bump up against each other in the aboriginal and the Métis community.

**Hon. Kathleen O. Wynne:** We have a really strong working relationship with the Métis Nation of Ontario. We have signed memoranda of understanding. There are separate ministries that have signed memoranda of understanding with the Métis Nation of Ontario. We have put in place the Voyageur fund, which is the \$30 million that will be, over 10 years, spent on Métis businesses, and we just had a great celebration of the launch of that fund. So I would say, just as a working principle, that we have come a long way in terms of that relationship with the Métis Nation of Ontario.

I think that one of the interesting things that has happened as a part of the aboriginal education strategy and the self-identification that has gone on in the school system and in the broader society is that there are more people who are self-identifying as part of the Métis Nation and all that that entails. You know, I'm not part of the Métis Nation, so I don't have a visceral sense of what that means or what it is, but there are criteria, and there are lots of reasons that over the years Métis families have not identified as Métis, because there was lots of discrimination that was rampant, people being neither one

nor the other, and lots of confusion about what the Métis Nation actually was. I think that as a result of litigation and court decisions and relationships with government, there's a new status in terms of the Métis people in the province and, as I say, we have found working with the Métis Nation of Ontario a very productive and collaborative process.

**1730**

I think you identified that there are lots of competing interests. I think that's true. I think that there are, again, historic competing interests. When Gary Lipinski, who is the leader of the Métis Nation of Ontario—he was just re-elected—comes to talk to me, there are often issues of hunting, harvesting rights and some of those territorial issues that are very complicated. In some ways, they're not—not that First Nation territorial issues are straightforward, but some of the Métis Nation issues are even more complex than the First Nation issues.

Again, it's a long-term relationship. It's one that has lots of potential. To go back to the issue that Mr. Craitor raised about history, I think that there's a lot of work that needs to be done in terms of not just First Nation history, but also Métis history. That's why we talk about aboriginal history and aboriginal people across the province.

**Mr. David Zimmer:** I wonder if I might just ask this question also, because I've received some calls from the aboriginal community making this sort of inquiry; that is, the aboriginal community that's involved in operating casinos and so on. They're aware that in some ways, the government is, if I can use this expression, "reviewing" its casino strategy. It's created some—"anxiety" is too strong a word, but some concerns that they may or may not get taken into the consultation.

I'll give you one example. There's a casino in the Scugog First Nation, the Blue Heron. They, in a very responsible and polite way, have called and said, "We are really close to Toronto. How's that going to play out vis-à-vis us? What vehicle can we use to get our points of view across" and so on. Do you have any comments for that community?

**Hon. Kathleen O. Wynne:** Only to say that I think I referred earlier in the economic development question to the overall gaming revenue arrangements that are in place so that as the government, as OLG reviews the gaming industry in the province, any increased capacity is going to benefit First Nations.

Having said that, I think the point that you're making is that there are various communities, and the Scugog is not the only community that's interested in expanding, having a casino or developing their own casino. But that's a conversation that has to go on with the folks who are making those gaming decisions. That's not something that we have any final decision-making authority on. But what we do do is, we make sure that those proposals and those requests find their way to the right people who are engaged in that decision-making process, and I know that you've been very helpful assisting in being a conduit for that information and making sure that people from the First Nations community have the opportunity to talk with folks either in finance or in gaming.

**Mr. David Zimmer:** I think that's a fine example of your view of the role of the ministry in your opening remarks, as a facilitator to help people steer through the system and help them to get their points of view across and understood and so on.

**Hon. Kathleen O. Wynne:** The gaming and casino discussion is one part of that economic development discussion. With many conversations with communities, there will be an energy proposal, there will be a casino proposal, there will be a training proposal. It's good to have those kinds of community discussions. It's good to have options. It's good to think about what the overall vision is for an economic plan. It goes back to my conversation with Mr. Barrett yesterday, where there are communities that are engaged in one industry, that they may want to diversify. I think that there's not going to be a casino on every reserve, in every community. There's just not going to be. But I think that conversation of "Where is it appropriate?" and "Where is the best business case?" is the one that has to happen. As you say, we can facilitate that conversation and help the aboriginal community to have the conversation with government.

**The Chair (Mr. Michael Prue):** And with that, we're going to stop you.

On to the Conservatives.

**Mr. Rob Leone:** Thank you, Minister. I'm always very interested in the kinds of selections that the Liberal MPPs make when they come to estimates. Certainly we had a great, encouraging discussion with francophone affairs. I am always wondering when we're going to find that smoking gun that they're looking for with respect to the ministries that they're trying to examine. I still haven't—

**Mr. David Zimmer:** You should have been here for the Minister of Energy. That's when—

**Mr. Rob Leone:** There were a lot of smoking guns there, that's for sure. But you have to note, Mr. Zimmer, that that was our choice, and we had a clear path to take with that. I haven't really quite discovered your path yet, and I'm listening with amusement—

**Hon. Kathleen O. Wynne:** But you're very interested in everything that I've had to say, right?

**Mr. Rob Leone:** Absolutely. Well, you know, Minister, to be perfectly frank, during my time in academia, I actually did some work in aboriginal policy, so I'm hopeful that we'll have a very interesting and good conversation about that.

**Hon. Kathleen O. Wynne:** I look forward to it.

**Mr. Rob Leone:** My first question actually relates to the estimates with respect to your Ministry of Aboriginal Affairs. I notice—and this is just a question of interest to get a further understanding of what has gone on in your ministry. I'm looking at the results-based plan briefing book, 2012-13, that your ministry has provided members of this committee. On page—

**Hon. Kathleen O. Wynne:** Thirty-three?

**Mr. Rob Leone:** Good question. I'm actually before that. I'm looking at the Ministry of Aboriginal Affairs, table 2, operating capital summary.

**Hon. Kathleen O. Wynne:** Do you want to just give me a page number?

**Mr. Rob Leone:** I'm going to say 18.

**Hon. Kathleen O. Wynne:** Eighteen?

**Mr. Rob Leone:** Yes.

**Hon. Kathleen O. Wynne:** Oh, it's after 17, yes. I've got it. It's a good guess that it's 18.

**Mr. Rob Leone:** The first question I have for you is that under the operating capital expenses that we're about to vote on once we conclude the review of estimates today, under your column "Interim Actuals" for estimates, we have a number of \$97 million and change—\$97,677,814—when the estimates for that year were \$78 million and change. My question is, why is there a discrepancy of nearly \$20 million between the estimates and the interim actuals in the ministry?

**Hon. Kathleen O. Wynne:** So you're asking about the discrepancy?

**Mr. Rob Leone:** That's right.

**Hon. Kathleen O. Wynne:** My understanding is the discrepancy has to do with land claim settlements, when we go back to treasury board to fill in the money needed for land claims. But I'm going to ask David Lynch to speak to this.

**Mr. David Lynch:** Yes, it's largely three land claims from that year. We put \$1,000 in our estimates against land claims as they occur annually. Then, when there's progress made during the year, we go to treasury board, and we receive the money. In this case, there was the Fort William settlement at just over \$5 million; \$22.8 million for Wabigoon; and \$200,000 for Missanabie Cree First Nation. That's the vast majority of that discrepancy. As you note, it's a large one. That would be typical with our estimates. If you look over a multi-year scan, that would be the story about our up and down.

**Hon. Kathleen O. Wynne:** The \$1,000 is a placeholder, Mr. Leone. We wouldn't try to estimate what the land claim amount would be because we just don't know the timing of those settlements.

**Mr. Rob Leone:** So how does the government, if they're preparing budgets for the year, account for potential land claims if they're only putting aside \$1,000 for it?

**1740**

**Mr. David Lynch:** Yes. It's the nature of the land claims. As we've discussed here today, often it's the federal government coming to the table and these sorts of things. Our ability to predict—you know, calendarize—when we will reach settlement is difficult. So we just feel that that variability, like I said, with the feds coming to the table or thereabouts—that is not something that from an accounting point of view meets the test that it should be placed in our estimates at that point.

**Mr. Rob Leone:** Is it because some years you're not going to have any settlements? Is that generally what happens? I notice there's also the discrepancy between 2010-11 actuals and the interim actuals for 2011-12. It seems it's fairly consistent in sort of the \$70-million range. It just seems to balloon in 2011-12.

**Mr. David Lynch:** And it's back on the same thing we're talking about here. It is land-claim-related, and they're big, they're small, they're whatever.

**Hon. Kathleen O. Wynne:** We try to give treasury board some idea of what land claims are under way, and certainly, when I served on treasury board, we'd get some information about which ones and what the timing might be, but it's just not possible to identify accurately which ones might be settled and which ones might not be.

**Mr. Rob Leone:** In terms of the discrepancy in the value of the three land claims you've mentioned—\$5 million, \$22.8 million and \$200,000—why is there such a large discrepancy between the settlements?

**Hon. Kathleen O. Wynne:** Each one is unique. As we've said before, some of them are cash settlements, some of them have to do with the purchase of land or other hunting and fishing rights, and some of them are larger than others. The Wabigoon Lake—\$27 million—was about a flooding claim and wasn't related to a specific quantum of land. Others are related to specific pieces of geography. So they are all vastly different.

**Mr. Rob Leone:** Okay. So where does the discrepancy between the estimates and the interim actuals in the—where does it come from? Where does the money come from? Is there a pool of money that's just—

**Mr. David Lynch:** Sorry, when we—

**Mr. Rob Leone:** That's probably a Minister of Finance question.

**Mr. David Lynch:** I think I can answer it.

**Mr. Rob Leone:** Okay. Good.

**Mr. David Lynch:** We seek approval from the board for what we're submitting, approval of the land claim and the provision of the monies to our allocation. But since, as I've said, from an accounting point of view, we don't meet the test that it's been set aside for us; it comes from the contingency fund that the government sets aside, finance sets aside annually.

**Mr. Rob Leone:** Interesting contingency fund: I say “interesting” because that's where the gas plant money is coming from. We learned that from the Minister of Finance earlier in estimates as well.

I have a question—I'm just going to find the page. Bear with me here; I thought I marked it off. Okay, I did. This one comes on page 26. It is table 4: Operating Summary by Vote and Standard Account. I'm assuming this is something we're going to be voting on.

In the third column from the left, the middle column in fact, it discusses the Ministry of Aboriginal Affairs, land claims and self-government initiatives, and there are \$2,000 placed in that—is that a placeholder as well? What does that include?

**Hon. Kathleen O. Wynne:** That \$2,000?

**Mr. Rob Leone:** Yes.

**Mr. David Lynch:** That would represent our operating account for land claims of \$1,000 and a capital account for land claims of \$1,000.

**Mr. Rob Leone:** Okay, so it is a placeholder.

**Mr. David Lynch:** Yes, absolutely. Sorry—

**Mr. Rob Leone:** I'm also interested in terms of your involvement in land claims. When my colleague Mr. Nicholls was discussing the Caledonia situation, certainly one of the things that the minister had mentioned was the lack of, I guess, partners. All the partners weren't at the table. Can you explain, for our benefit, the distinction between the federal government's jurisdiction in land claims and the provincial government's responsibilities?

**Hon. Kathleen O. Wynne:** I can, at a general level, and then I'm going to ask David Didluck to come up.

Again, each land claim is different, depending on what's at stake. For example, the Wabigoon situation was a provincial government and a company that were involved in an economic initiative for which we had to take responsibility. It wasn't a historic territorial land claim. It was about a specific issue that came about because of a specific action of the provincial government. There, the provincial government was involved. Where there's federal involvement in the initial action, or where there's a historic claim, then the federal government is going to be involved. That's the general case.

David, do you want to expand on that?

**Mr. David Didluck:** Sure, Minister. For the information of members: As I think many people know, the Constitution of Canada is quite clear. Section 91(24) of the Constitution puts the responsibility for “Indians”—and I'm quoting terms out of the Constitution, so I don't want to offend any of our aboriginal partners—“and lands reserved for the Indians” as a federal responsibility. That means Indian reserves, Indian people on reserves, are primarily a federal responsibility.

In the land claim world, however, the traditional territories of communities could have historically extended well beyond those reserves. Certainly, the responsibility, as you know, for land and resource management really rests with the province as a constitutional responsibility under section 92.

We know from our work with First Nations, and certainly in our negotiation process, that First Nations have lots of interests in areas of provincial jurisdiction, whether it be as a result of economic development on the land, forestry activity, other natural resource activity. So there's an inherent kind of relationship between the two crowns federally and provincially. Because we have the responsibility for land and resources off-reserve, and the federal government has responsibility for “Indians and lands reserved for the Indians,” there is a natural complement in that conversation.

It's not uncommon that an aboriginal community may file, if they deem in their minds that there is an obligation by both crowns, a claim against both governments. We get involved only where there is an assertion by a community, and our job in the land claim process is really to provide an alternative to the courts and, ultimately, direct action, because communities are frustrated and they want resolution to those historic obligations that are rooted right back in the Canadian Constitution.

So for us, it's very much living up to those historic obligations and ensuring that we've responded where we've made decisions.

As the minister noted, at Wabigoon, we made a decision about constructing a dam. We flooded a community, and we needed to make amends to that community.

That's really where the province gets involved. That's the essence of the distinction.

**Hon. Kathleen O. Wynne:** One of the interesting angles on this is that there is a stance within the aboriginal community that I've heard from a number of people—I heard it when I was in Webequie, actually, at the community meeting—whereby there isn't a distinction between the crowns; that in fact government is government, whether it's federal government or provincial government, and so the approach to the crown is the approach to both governments equally.

I don't think all members of the aboriginal community take that position, but that is a position that does exist within the aboriginal community.

**Mr. Rob Leone:** I'm sorry. I missed your name.

**Mr. David Didluck:** I'm David Didluck. I'm the director of negotiations and acting assistant deputy minister.

**Mr. Rob Leone:** I just wanted to make sure. I notice there are a lot of people back there. I'm not sure they're all—

**Hon. Kathleen O. Wynne:** And a lot of them are named David.

**Mr. Rob Leone:** Yes, I noticed that.

**Hon. Kathleen O. Wynne:** David Lynch, David Didluck and David de Launay. The three people, apart from Laurie LeBlanc, are all named David, so you are forgiven for being confused.

**Mr. Rob Leone:** It makes it quite easy. I guess the OPS wants the Davids in Aboriginal Affairs. It just seems to be something that goes on there.

**1750**

**Hon. Kathleen O. Wynne:** Well, they're all very competent.

**Mr. Rob Leone:** It's an interesting thing, the land claims process that exists, and you've mentioned certainly some of the problems—not problems necessarily; well, there are some long-standing problems, but delays and so on. There is a process that has been established. I'm wondering how you or the ministry would categorize the land claims process from a provincial standpoint and from your interactions with the federal government. Do you have any sort of top-of-mind comments on that? Do you believe that the land claims process is an efficient one, and if you don't think it's an efficient one, do you think that there are potential remedies to speed up the process for land claims?

**Hon. Kathleen O. Wynne:** We have undertaken to expedite—I think I said that yesterday. We're working to decrease the amount of time that it takes to actually get to the point where the land claim starts to be discussed. I think we've got a three-year preliminary process that would shorten the front end to the point where you actually get to the table and are able to start to negotiate the land claim. We're trying to make that upfront process more efficient so that we can get to these discussions more expeditiously.

But the fact is that the complex historical and legal issues that are involved, I think by nature, demand that there be a lot of time, that it be very thorough. The negotiations are usually tripartite, so if we look at the Caledonia situation, even if we are eager and willing to get back to the table, if we don't have all the partners there, we can't move it forward.

I think there are lots of barriers to quick process in terms of land claims, and because they involve significant decisions that will have a lasting impact on people's lives, it's right that we take the time that's needed. Do I wish they could go more quickly and we could say we're done? Absolutely, absolutely. But I think that by their nature, they take a long time.

Have I missed anything, David?

**Ms. Laurie LeBlanc:** If I could just add some statistics to that, too, over the last nine years, we've settled 13 claims, and that compares to the 20 years before that where we only settled 18 claims. So it's a slow process, but it's getting, we think, with the emphasis that we're putting on it, more efficient in terms of getting to an answer and getting to the table. So that's something that's really a priority, and it was a recommendation in fact that came out of the Ipperwash inquiry, to deal more expeditiously and respectfully to the land claims process.

**Hon. Kathleen O. Wynne:** So I guess the answer to your question is, it's getting better.

**Mr. Rob Leone:** Well, it's good. One of the things that—I don't have a First Nations community in my riding. I do live along the Grand River, so there's certainly—

**Hon. Kathleen O. Wynne:** But that doesn't mean you don't have aboriginal people in your community.

**Mr. Rob Leone:** Oh, absolutely. Don't get me wrong. I agree 100% with that, so it's always an important thing.

One of the comments that I've heard previously throughout the process of researching this area is the fact that we continually see more and more new land claims coming forward, and that obviously presents a lot of issues, because certainly the First Nations communities are actively engaged in making sure they understand their territory, their culture, their traditions, their history. That's one thing. And so the other part of that is that everyone else has to study them and come to an agreement on them, and the agreement has to obviously be an agreement between all partners. But sometimes we also find that even within First Nations, there's not always agreement on the sort of validity between the proposed issues.

So if you would want to comment on that, one of the things that might be of interest to explore is whether we can deal with the issue of new claims and how we proceed with them. I don't know how we do that. I don't have any answer for—

**Hon. Kathleen O. Wynne:** When you say, "deal with the issue of new claims," do you mean trying to reduce the number of new claims?

**Mr. Rob Leone:** Get a consensus around the new claims, whether the claims have historical merit, in essence, and how do you do that?

**Hon. Kathleen O. Wynne:** Well, I think we have to think about it in this way—this is my opinion, given my time in this ministry. I think we have to, as new information arises—and new information can be about a land claim, residential schools or a decision made by a company or an industry at some point in history; there's all sorts of new information that comes up. I think we have an obligation—I think we can argue we have a constitutional obligation—certainly in the area of land claims to deal with that new information and those new claims as they arise. So I don't think it is something that we would countenance, that we would try to find a way to suppress or pre-empt a land claim that was coming forward. I think it's information that has to come in its own time. I don't think it's something that we can either predict or pre-empt. That would be my—

**The Chair (Mr. Michael Prue):** And I'm going to leave it at that because the 20 minutes is up.

The time being nearly 6 o'clock and given the fact that the Legislature has now recessed and the fact that almost all of us are going to be here for midnight and probably want to get something to eat—

**Mr. David Zimmer:** No.

**The Chair (Mr. Michael Prue):** Oh, yes. You voted for it.

*Interjection.*

**The Chair (Mr. Michael Prue):** But in any event, I think this is an appropriate—

*Interjection.*

**The Chair (Mr. Michael Prue):** No. I think, in any event, and since the minister still has more than enough time left, and all of us to question next week, I think it's appropriate that we adjourn at this point. We'll see the minister back here next Tuesday at 9 o'clock. I think there's still a little over two hours left.

Meeting stands adjourned until next Tuesday.

*The committee adjourned at 1757.*





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