



**FNLMAQL**

First Nations Lands Managers Association  
for Quebec and Labrador

# INDIGENOUS-LED ENGAGEMENT FOR THE ADDITIONS TO RESERVE POLICY REDESIGN



## Disclaimer

This report does not claim to represent the official stance of any of the First Nations involved. It is a compilation of experiences and feedback from land managers and other administrative personnel engaged in land management responsibilities within the Quebec region. Its purpose is to illustrate the lived experiences and aspirations of those currently involved in or who foresee undertaking an Addition to Reserve project.

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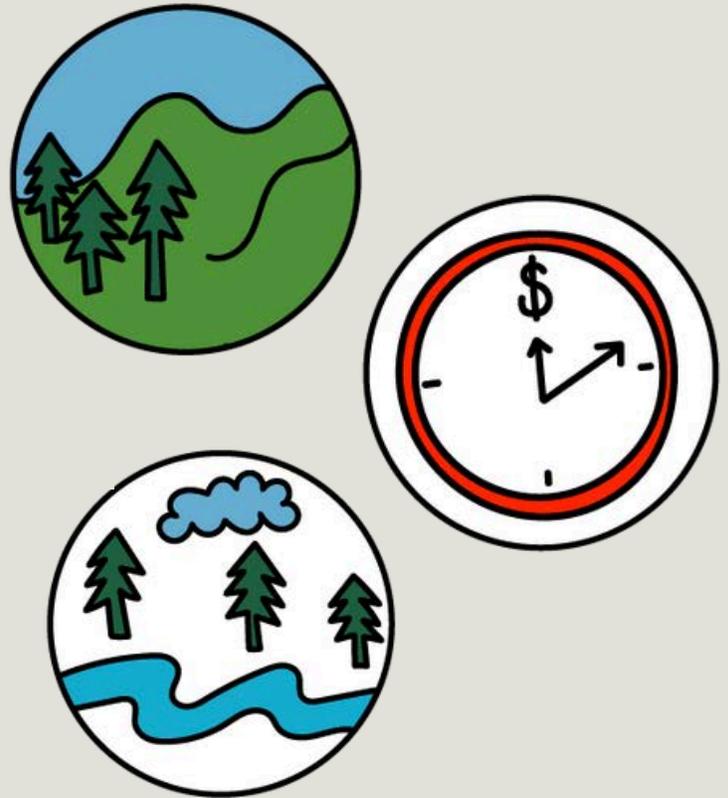
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# ABOUT US

The First Nations Lands Managers Association for Quebec and Labrador (FNLMAQL) is a bilingual, non-profit, non-political organization whose mission is to unite and assist all of its members and Indigenous communities to exchange knowledge, ideas, and expertise in all areas of Land Management while incorporating our traditional values, beliefs and practices. As an Association, a fundamental aspect of our mission is to provide support to our members in navigating the complexities of land management.

Through meetings and targeted trainings, it became apparent that our members are faced with challenges within the Additions to Reserve (ATR) framework, and we recognized a need for enhanced resources to assist them in successfully maneuvering this process. The funding for Indigenous-led engagement activities aimed at informing the redesign of the ATR Policy, emerged as an opportunity for us to assemble the Indigenous communities of Quebec and Labrador to discuss these matters. Our aim was to create a forum where land managers and other administrative staff could articulate their challenges and collaboratively explore options for changes and improvements within the policy. The FNLMAQL organised two engagement sessions and invited both FNLMAQL members and non-member First Nations across Quebec and Labrador.

The primary focus was to hear from land managers and administrative personnel directly involved in the Additions to Reserve process. The overarching goal was to facilitate feedback sessions driven by the experiences and insights of the participants.



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# ENGAGEMENT STRATEGY

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Each 2-day session integrated educational and participatory elements, fostering an environment where attendees engaged from an informed perspective. By sharing their real-life experiences, participants offered valuable insights into the challenges of the ATR process. Guided by a First Nation-led approach, the sessions aimed to ensure that these lived experiences directly influence the redesign process and inform considerations and recommendations for policy options.

The Association decided to produce a video to capture the essence of the meetings and complement the written report, which details recommendations from each engagement session. By highlighting Indigenous voices, the video adds context and stories to the themes found in the recommendations. The FNLMAQL aimed to humanize the report, recognizing that policy and bureaucratic processes can sometimes feel disconnected from the people they impact. The videography team created a video showcasing group discussions and one-on-one interviews, providing personal perspectives and community context.

A visual note-taker was also present during the engagement sessions to translate concepts and feedback into visual representations, facilitating continuous reflection and discussion.



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# PROJECT PHASES

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- › Research and Planning
- › Engagement Session 1  
Montreal, February 27 and 28, 2024
- › Engagement Session 2  
Wendake, April 23 and 24, 2024
- › Community Visits
- › Validation Session
- › Final Report



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# ENGAGEMENT SESSION ONE

February 2024

Montreal, QC



Held over two days in Montreal on February 27 and 28, 2024, this session fostered dialogue among participants from Quebec First Nations. Although primarily conducted in English, accessibility was ensured for both francophone and anglophone attendees through simultaneous interpretation.

The session included the videography team and a visual note-taker (see Appendix A for visual note), enriching the discussion and capturing key insights. Additionally, a panel of experts was present to address attendees questions. The panel was comprised of the following:

Sean Thompson, ATR Program Specialist, National Aboriginal Lands Managers Association (NALMA);

David Schulze, Lawyer with experience in ATRs, Dionne Schulze;

Adam Pitacciatto-Kerr, Land Management Advisor, Indigenous Services Canada (ISC), Quebec Region.

A total of five representatives from the following First Nations and organizations were present:

The Mohawk Council of Kahnawà:ke;

The Micmacs of Gesgapegiag;

Timiskaming First Nation;

The Algonquin Nation Secretariat.

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The FNLMAQL staff facilitated the review of the current ATR policy and participants offered feedback based on their unique experiences. Through one-on-one interviews, participants ensured that the video report accurately reflected the depth of the discussions. From the session emerged 16 recommendations, covering principles, policy adjustments, and procedural improvements (see Appendix B for recommendations).

To gain a deeper understanding of the background and justification behind certain recommendations, the following supplementary information is provided (associated numbered recommendations can be found in Appendix B):

- 1. Allow First Nations the opportunity to proceed with the land's intended use:** It is imperative that the ATR process does not impede First Nations' ability to use their ATR land for its intended purpose. Delays in using the land can result in significant losses in time, finances, and opportunities.
- 4. Remove the Impacts Benefits Statement (IBS) from the Reserve Creation Proposal:** Streamline the ATR/RC Proposal process by eliminating the mandatory IBS. First Nations can still develop an IBS as an internal document to inform their decision-making, but these should not be required for the proposal given their subjective nature.
- 5. Provide clarity on parcel combination:** There's a need to establish clear guidelines for combining multiple parcels into a single Reserve Creation Proposal. Participants highlighted the current lack of information in ATR-related documents and emphasized the need for well-defined procedures for incorporating or adding multiple parcels and lots into a single request.



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Engagement session for the Additions to Reserve Policy redesign. Montreal, Quebec, February 27, 2024.

**8. Relief from municipal tax obligations:** Participants expressed discontent with the potential burden of municipal taxes throughout the ATR process's duration. Exempting First Nations from taxes upfront is necessary to reduce their financial hardship, given the potential for extended timelines in the process.

**15. Provincial Specifications Annex:** Acknowledging the provincial variations in the ATR process, participants advocated for the inclusion of additional provincial information in policy documents. This annex would equip First Nations with insights into provincial specifications, resources, and considerations vital for informed decision-making within their respective regions.



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# ENGAGEMENT SESSION TWO

April 2024

Wendake, QC

The second session, predominantly conducted in French with simultaneous interpretation available, served as an additional forum for engagement. Participants were once again given the opportunity to share their firsthand experiences with the Additions to Reserve process, contributing feedback on pain points and proposing policy improvements.

The session maintained the presence of the videography team and visual note-taker (see Appendix C for visual note) to support engagement. A panel of experts was present, to address attendees questions. The panel was comprised of the following:

Sean Thompson, ATR Program Specialist, NALMA;  
Francois Simard, Regional Manager, Lands, ISC, Quebec Region;  
Audrey Lesvesque, Land Management Advisor, ISC, Quebec Region;  
Alexandre Dompierre, Land Management Advisor, ISC, Quebec Region;  
Adam Pitacchiato-Kerr, Land Management Advisor, ISC, Quebec Region.

Thirteen participants from the following First Nations were present:

The Mohawk Council of Kanehsatà:ke;  
Nation Anishnabe du Lac Simon;  
Nation Huronne Wendat;  
Conseil des Abénakis de Wôlinak;  
Première Nation des Pekuakamiulnuatsh Takuhikan;  
Conseil des Abénakis d'Odanak;  
Conseil de la Première Nation des Innus Essipit;  
Micmacs of Gesgapegiag.

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The engagement session generated 18 policy recommendations (see Appendix D for recommendations). To gain a deeper understanding of the background and justification behind certain recommendations, the following supplementary information is provided (associated numbered recommendations can be found in the appendix):

4. **Develop external expertise:** First Nations need access to a wider range of supporting organizations, with dedicated funding to empower these external experts.
5. **Create educational tools:** First Nations are encouraged to collaborate with stakeholders, but the ATR policy's complexity requires condensed educational materials (pamphlets, explainer videos, one-pagers) to effectively share information with stakeholders.
6. **Address provincial particularities:** There is a lack of detailed information on provincial particularities, especially in Quebec, where federal and provincial policies do not align.
11. **Respecting Autonomy:** This entails encouraging collaboration and mutual understanding while honoring the autonomy and governance structures of First Nations. Efforts to align by-laws should be made at the discretion of the First Nation and approached as a partnership, not imposed upon them.
14. **Clarify process flexibility:** Participants expressed concerns about the restrictiveness of the defined phases in the ATR policy. Discussions revealed that some phases can, in practice, occur concurrently. The policy could benefit from either clearer guidance on allowing phase overlap or potentially by removing the phase structure altogether, if a more flexible process is deemed appropriate.



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- 15. Include indemnity agreements:** The current process can delay achieving reserve status for First Nations lands. To expedite the process, First Nations should have the option to finalize reserve status and then complete certain tasks, like environmental assessments, within a set time frame through indemnity agreements with the government or relevant parties.



*Engagement session for the Additions to Reserve Policy redesign. Wendake, Quebec, April 23, 2024.*

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# COMMUNITY VISITS

Building on the feedback from the engagement sessions, visits were organised to participating communities. This offered an opportunity to delve deeper into the discussions and gain precious firsthand insights from representatives of the Conseil des Abénakis Wôlinak, Conseil des Abenakis Odanak, and the Micmacs of Gesgapegiag.

Each community representative hosted a tour of their First Nation, showcasing the designated plots for ATR and providing a deeper understanding of their unique community setting. These personalized interactions fostered a rich dialogue, allowing us to explore the specific challenges and needs these communities face as they navigate the ATR process. Furthermore, the discussions shed light on their aspirations and visions for future projects.

By presenting firsthand context and engaging in open conversations, we illustrate a more comprehensive outlook of the realities on the ground. This approach is invaluable for refining the ATR process and ensuring it effectively addresses the diverse needs of First Nations.

# VALIDATION SESSION

Following the in-person sessions in Montreal and Wendake, the recommendations were distributed to participants offering them an additional chance for review and feedback. A draft of the video and written report was distributed to attendees on June 20th, 2024. In July, an online validation session offered participants the opportunity to discuss their perspectives on the report and suggest any final modifications.

# CONCLUSION

The Indigenous-led engagement for the Additions to Reserve Policy Redesign, organized by the First Nations Lands Managers Association for Quebec and Labrador, aims to address the complexities and challenges faced by First Nations in the region. This process facilitated meaningful dialogues and gathered insights from land managers and community representatives.

Engagement sessions and community visits provided a platform for articulating challenges and aspirations regarding the ATR process. Feedback highlighted the need for clearer guidelines, the elimination of unnecessary bureaucratic requirements, and greater flexibility to accommodate specific community needs.

The video report presented insights in a personal way, complementing the written report with the voices and stories of Indigenous community members. This ensured the recommendations remained grounded in real-life experiences.

The validation and feedback session sought to incorporate participants' input into the final report, enhancing its accuracy and relevance. This report is intended to guide the ATR Policy redesign, advocating for changes that reflect the needs and goals of Indigenous communities, and fostering long-term development and self-determination.

**We express our sincere gratitude to all participants, experts, and community members who generously shared their time, knowledge, and experiences to this important initiative.**



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# CONTACT INFORMATION

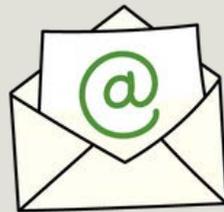
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For additional information or questions regarding the report please contact :

**The First Nations Lands Managers Association for  
Quebec and Labrador**

[support@fnlmaql.ca](mailto:support@fnlmaql.ca)

[www.fnlmaql.ca](http://www.fnlmaql.ca)



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# Appendix B

## **ADDITIONS TO RESERVE POLICY REDESIGN RECOMMENDATIONS**

**February 27 & 28, 2024**

**Montreal, QC**

### **Principles**

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- 1.The ATR process should not hinder First Nations' ability to proceed with the intended use of their ATR land. The process should allow the First Nation to move forward with the intended use of their land at the same time as the ATR process.
- 2.The ATR process should be administered with an implicit understanding that First Nations operate in their community's best interest.
- 3.To accelerate and streamline the effective execution of the ATR process, recognize its significance by allocating resources proportional to its scale, including, but not limited to time, financial and human resources.

### **Policy**

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- 4.The impact benefit statements should be an internal tool used at the discretion of First Nations and should not be mandated as a required document for the Reserve Creation proposal.
- 5.Establish clear parameters for combining multiple parcels into a single Reserve Creation request, define the steps and the available options.
- 6.Respect and integrate First Nations' decision-making processes into the ATR framework.
- 7.Establish clear criteria for "unreasonable delays" within the ATR process to establish standards for timely completion and to address prolonged procedural inefficiencies.
- 8.Establish a framework to relieve First Nations from municipal tax obligations throughout the duration of the ATR process.

## **Policy cont'd**

9. Upon the First Nation's request, ensure government action for addressing instances of unreasonable delays that slow down the ATR process, while ensuring that this does not further increase delays through bureaucratic intervention.
  
10. Eliminate the section on assessing by-law compatibility with neighbouring municipalities.

## **Processes**

11. Establish transparent and consistent roles and responsibilities at the outset of the ATR process to foster clarity and accountability among stakeholders.
  
12. Provide comprehensive training and materials for ISC staff and First Nations to ensure their ability to navigate the ATR process.
  
13. Leverage technology for improved information sharing and process management tools to streamline communication and document management within the ATR framework.
  
14. Task the federal government with ensuring alignment with provincial policies, intervening when necessary to address unreasonable delays or concerns from provincial authorities.
  
15. Incorporate an annex outlining provincial specifications, details, and available resources.
  
16. Eliminate the requirement to identify intended land use for the Reserve Creation Proposal.



# Appendix D

## **ADDITIONS TO RESERVE POLICY REDESIGN RECOMMENDATIONS**

**Wendake, QC  
April 23 & 24, 2024**

### **Principles**

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1. The policy should be based on the principle that these lands have always been Indigenous territories. First Nations should not be required to justify their access and use of their own lands to governments.
2. Clearly state in the principles that the perspectives of First Nations should guide the additions to reserve process.

### **Policy**

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3. The policy must be functional and clear.
4. Allocate resources to develop external expertise in additions to reserve, for example, through regional organizations, to support First Nations administration in this process.
5. Create educational tools to raise awareness among all stakeholders, including municipalities and third parties, about the issues and processes related to additions to reserve.
6. The policy should consider the differences between federal policy and provincial practices, with sections detailing these provincial particularities.
7. Ensure dialogue and cooperation between the federal government and the provinces to ensure consistency and regular updates of provincial and federal additions to reserve policies.
8. Although Canada excludes itself from negotiations and agreements with municipalities, regulations are subject to federal standards and Canada should be available to participate in discussions as needed.
9. Ensure retention of staff at ISC to ensure continuity of files, the relationships built between ISC agents and the community, and institutional memory.

## **Policy cont'd**

10. The federal and provincial governments must recognize the duty to consult on ancestral lands; individuals wishing to purchase private lots on ancestral lands should be subject to the same constraints as First Nations undertaking reserve additions.
11. Harmony with neighboring municipalities is in everyone's interest, but the First Nation should not be accountable to their neighbors regarding by-law compatibility.
12. Eliminate the section "Directive 10-1: Annex C - Guidelines for Agreements Between First Nations and Municipal Governments" related to recommendations for agreements with neighboring municipalities, as it causes further delays and gives disproportionate negotiating power to the municipality.

## **Processes**

13. The process must be simplified for First Nations.
14. Clarify that the different phases of the additions to reserve process can be carried out flexibly and simultaneously, depending on the needs and circumstances of each situation.
15. To streamline the process, consider incorporating provisions that authorize agreements between the First Nation and the federal government. These agreements would enable specific tasks, typically part of the current process, to be completed after the addition is approved and becomes part of the reserve.
16. Allow First Nations to undertake projects on lands undergoing reserve addition, while respecting applicable rules and regulations.
17. Allocate funds to ensure sufficient human resources within the First Nation administration to manage additions to reserve files.

## Policy cont'd

18. The National Tracking System for reserve additions (NATS) should be created to be as flexible as the addition to reserve process itself.



Visual note, Wendake Quebec, April 23, 2024.

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