

2018 - 2019



Implementation Monitoring Committee
Annual Report

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EXECUTIVE SUMMARY

On behalf of the Implementation Monitoring Committee (IMC) and in accordance with the Manitoba Framework Agreement Treaty Land Entitlement (MFA-TLE) Paragraph 34.09 (10)(b), the IMC Independent Chairperson provides an Annual Report to the Parties of the 1997 MFA-TLE represented by the President of the Treaty Land Entitlement Committee (TLEC), the Minister of Indigenous Services Canada (ISC) and the Minister of Manitoba Indigenous and Northern Relations (MINR).

This Annual Report covers a 12 month period ending March 31, 2019. The Chairperson was re-appointed by the Senior Advisory Committee (SAC) for an additional one year period ending March 31, 2019.

This is a summary of:

The progress of implementing the MFA-TLE and Treaty Entitlement Agreements (TEAs);

The issues or matters in dispute that have been brought to the IMC by the Parties or the First Nations;

The 'Referrals', resolved or outstanding during 2018/2019;

The areas for improvement that have been identified and the steps being undertaken to build on opportunities for improvement;

The IMC activities for generally being responsible for facilitating the implementation of the MFA-TLE and providing the SAC with recommendations for the improvement of the implementation of the MFA-TLE and any TEA;

The IMC activities within the Annual Work Plan jointly developed by the Parties;

The IMC recommendations as it sees fit in relation to work plan activities.

In twenty (22) years of MFA-TLE implementation, the Parties have set apart a total of **530,392.85** acres of Crown Land comprised of **211** separate Selections and **3,786.80** acres of Other Land which is equal to **30** Acquired parcels for reserve. This total amount represents **48%** of the Total Land Amount committed to the 21 EFNs. There were **23** parcels, for a total of **11,869.71** acres of land that were set apart as reserve in 2018-2019.

The Three Party Work Plan has been used over the years in order to target certain priorities that have been identified by the parties. The 2018-2019 Work Plan identified a total of **298,676.48** acres within Schedules A to E of the Work Plan. The Three Party Work Plan under the overall Treaty Land Entitlement (TLE) Annual Work Plan targeted **108** parcels comprised of **88,125.78** acres identified in "Schedule A". However, these parcels required Canada to discharge the duty to consult with Aboriginal groups prior to setting apart the Selections/Acquisitions as reserve.

Seven (7) IMC Referrals remain unresolved at the end of the fiscal year. There were two additional referrals made this year by Canada and Northlands Denesuline First Nation. These Referrals are:

1999-BPFN-001	Selection in a Provincial Park;
1999-BPFN-002	Reed River Selection of the Bed and Shore;
1999-NCN-003	Effective Date of Signing Treaty Entitlement Agreement (TEA);
2004-BLFN-002	Material Failure Allegation - Land in Severalty (LIS);
2003-BON-001	Surplus Federal Land – Kapyong;
2006-Manitoba-001	Material Failure Allegation – Knee Lake Lodge (now closed);
2007-TLEC-002	Hydro-Easement Agreement (H-EA).
2018-CANADA-002	Reasonable Means of Remedying Events of Default
2018-NDFN-001	Reasonable Use Areas for Lodges and Out Post Camps

In 2018/2019, Canada issued new survey contracts for **12** parcels totalling **6,597.93** acres. One parcel for Norway House Cree Nation was carried over from the previous fiscal year. Some of the annual survey funds in a given fiscal year are for multi-year contracts. The number of parcels on Schedule B was **46** for a total of **27,960.99** acres which included tasks to be targeted for completion in order to advance parcels into Schedule A by March 31, 2019. The number of parcels on Schedule C was **53** for a total amount of **39,977.63** acres. The pace of transferring lands to reserve is affected by the availability of parcels without significant outstanding issues such as complex Third

Party Interests (TPIs) or hydro-easements. The related costs associated with resolving some of the TPIs is a factor that limits the amount of land being surveyed each year.

Six of the twenty-one (21) Entitlement First Nations (EFNs) that have not signed a TEA under the MFA-TLE are:

Fox Lake Cree Nation;
Marcel Colomb First Nation;
O-Pipon-Na-Piwin Cree Nation;
Sayisi Dene First Nation;
Shamattawa First Nation; and,
York Factory First Nation.

The IMC Independent Chairperson is pleased to offer the following recommendations to improve and facilitate the implementation of the MFA-TLE:

Recommendation on Surveys: Evaluation of the amount of funds needed to complete all of the outstanding lands that require surveys and increase the survey budget to allow for the available acres to be surveyed in a given year.

Recommendation on Crown Issued Mining Claims: The IMC and Agreed Forms Committee should continue to focus efforts on developing terms and conditions under the *First Nations Commercial and Industrial Development Act* to allow the lands to be set apart as reserve while maintaining the Crown-issued mining claim interest holder to maintain the mining interest they currently hold.

Recommendation on Private Mines and Minerals: Canada to proceed with reserve creation to the surface only to the extent that the current private mines and minerals owner holds the subsurface interest through the use of the Future Mineral Access Agreement. When the private mines and mineral interest holder requires access to the subsurface the First Nation can negotiate access with the interest holder at that time.

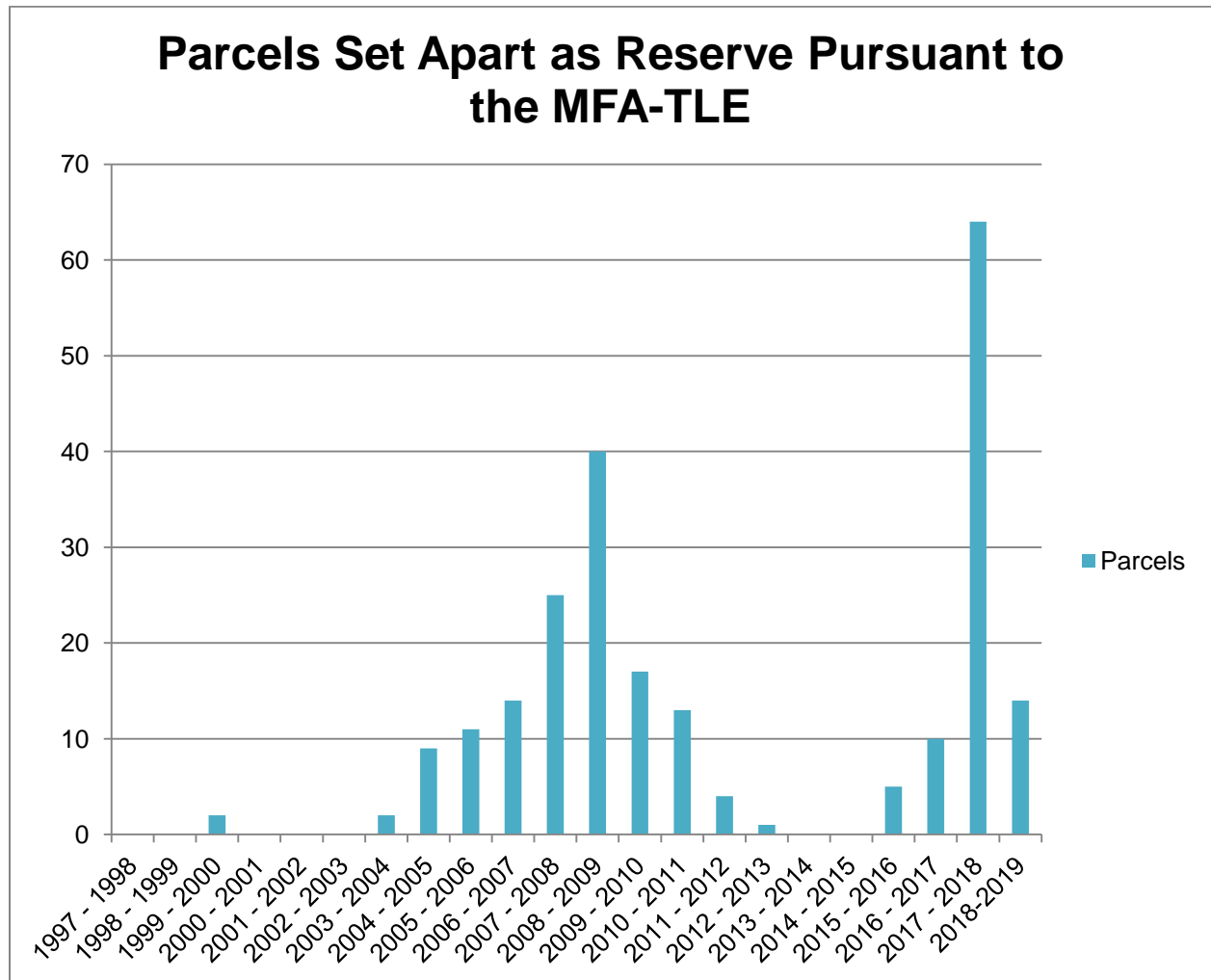
Recommendation on Hydro Easements: The EFNs that have not already signed on to the *First Nations Land Management Act* should be encouraged to become a signatory to this legislation. Manitoba should be encouraged to sign off on the Hydro Easement Agreement without the transfer of the agreement to a new entity should Manitoba Hydro become privatized (i.e. privatization of MTS). Manitoba Hydro should be encouraged to enter into an Adaptive Management Plan regarding shoreline management with the EFNs in conjunction with lands subject to a Hydro Easement Agreement.

Recommendation on Outstanding Acquisitions: The First Nations should be provided with more acquisition dollars to purchase the remaining TLE acreage. The EFNs have requested the Manitoba government to provide Crown lands for sale at \$1/acre to fulfill the outstanding TLE legal obligation. Alternatively, Canada should be asked to provide the necessary funds to allow the First Nations to purchase their full entitlement acres.

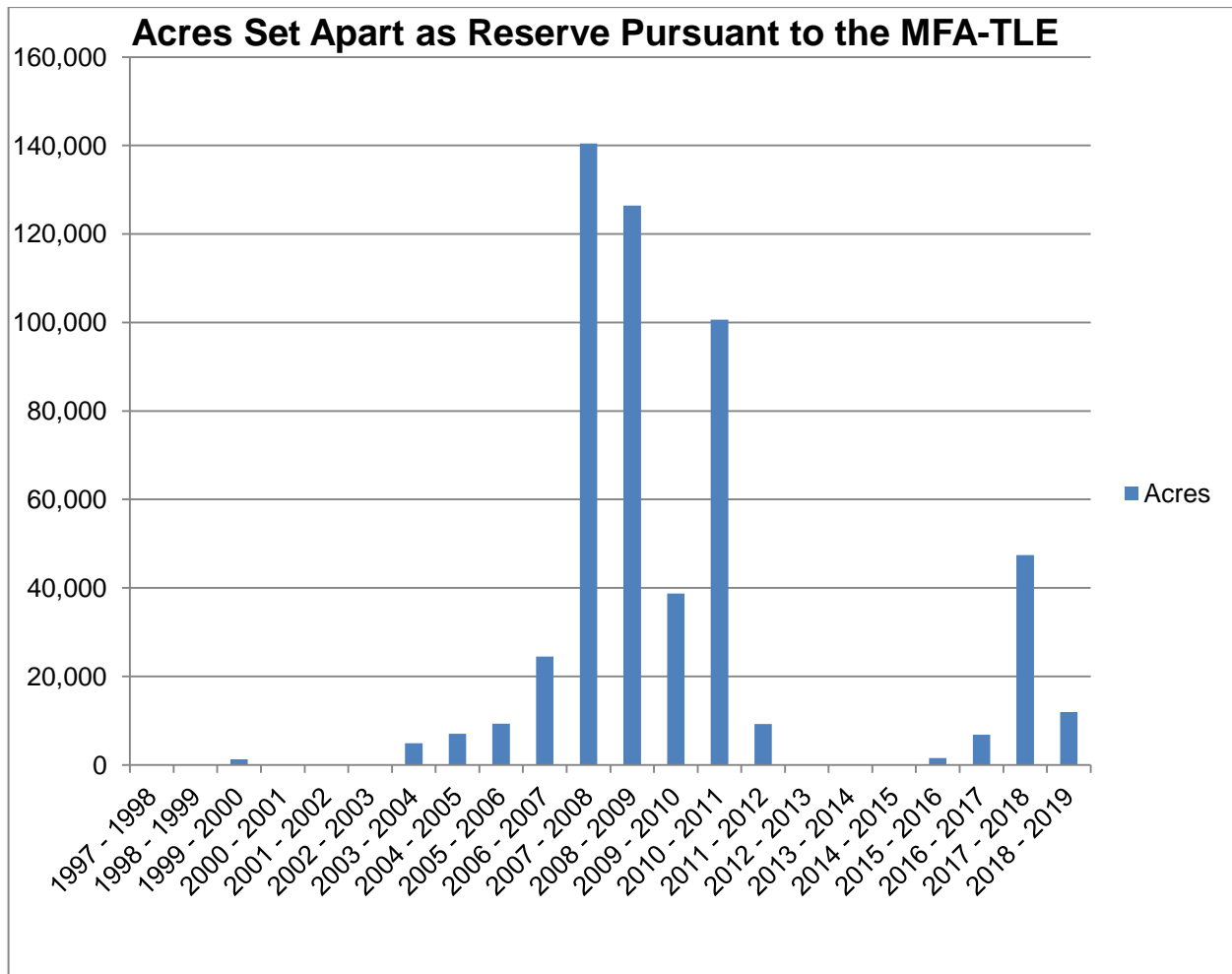
Recommendation on Outstanding Selections: Canada, Manitoba and TLEC to work collectively to assist the EFNs to identify selections of their remaining Crown Land amounts.

Recommendation on Unsigned First Nations: Canada to provide dedicated staff to assist the unsigned First Nations with resolving the issues that are preventing them from signing their TEA.

Graph 1: Parcels Set Apart as Reserve Pursuant to the MFA-TLE



Graph 2: Acres Set apart as reserve Pursuant to the MFA-TLE



1.0 INTRODUCTION

MANITOBA FRAMEWORK AGREEMENT ON TREATY LAND ENTITLEMENT

Twenty (21) years have passed since the Treaty Land Entitlement Committee of Manitoba, Inc. ("TLEC"), the organization representing 21 First Nations in Manitoba with entitlement to land under Treaties 1, 3, 4, 5, 6 and 10, signed the May 29, 1997 *Manitoba Framework Agreement on Treaty Land Entitlement* ("MFA-TLE"), an agreement with Canada and Manitoba to secure outstanding reserve land owed under Treaties with the Crown in right of Canada.

All of the 21 First Nations initially comprising the membership of the TLEC were entitled to individually choose to accept the terms of the MFA-TLE and, if so, enter into a specific Treaty Entitlement Agreement ("TEA") with Canada, Manitoba and TLEC. After the MFA-TLE was signed, a portion of the membership of two of the original 19 First Nations were independently recognized as two additional First Nations, with the result that there are now 21 First Nations entitled to sign TEAs under the MFA-TLE located throughout Manitoba¹. A map illustrating the geographical location of the Entitlement First Nations (EFNs) eligible to enter into TEAs under the MFA-TLE is included as **Appendix A – Map of Entitlement First Nations**.

Under the terms of the MFA-TLE, the combined 19 (now 21) EFNs secured entitlement to 1,100,626 acres (approximately 1,720 square miles) of land to become reserve. Circumstances encountered during the negotiations led to the distinction between the "selection" of Crown Land as anticipated by the Treaties, and the purchase or "acquisition" of private land on the open market as set out in the following **Chart 1**. Although all of the First Nations secured entitlement to select Crown Land, six of the EFNs were also provided funds to purchase a portion of their Treaty Land Entitlement (TLE) on the open market, due to the lack of sufficient Crown Land of suitable quality being available in the vicinity of their existing reserves. Accordingly, if all 21 EFNs entered into agreements, the 21 EFNs would collectively be entitled to select a total of 985,949 acres of provincial Crown Land for reserve. In addition, six of those EFNs - the Brokenhead Ojibway Nation, Buffalo Point First Nation, Opaskwayak Cree Nation, Rolling River First Nation, Sapotaweyak Cree Nation, and Wuskwi Sipihk First Nation are entitled to purchase or otherwise acquire the balance of 114,677 acres of land for reserve.

As of March 31, 2019, 15 of the 21 EFNs have entered into a TEA. The six EFNs that have not entered into TEAs to date are:

- Shamattawa First Nation,
- Fox Lake Cree Nation,
- Sayisi Dene First Nation,
- York Factory First Nation,
- Marcel Colomb First Nation, and
- O-Pipon-Na-Piwin Cree Nation.

The EFNs that have not signed TEAs continue to have outstanding TLE rights. Canada, TLEC, and Manitoba remain prepared to enter into TEAs with these six (6) EFNs. The O-Pipon-Na-Piwin Cree Nation has completed the Community Approval Process required by the MFA-TLE and the Marcel Colomb First Nation has completed all activities to support the signing of their TEA. The Fox Lake Cree Nation has also held a successful Community Approval Process vote.

This Annual Report pertains to the fiscal year 2018/2019 that ended March 31, 2019, covering the 12 month period that the Implementation Monitoring Committee (IMC) has reached a quorum of members. The 2018/2019 IMC Annual Report is an update of activities on the IMC Work Plan 2018/2019 and utilizes certain chart formats of previous Annual Reports for reference or to reflect progress. The previous IMC Annual Reports are available on the IMC website at www.tleimc.ca

¹ Canada declared divisions of the Mathias Colomb Cree Nation and Nisichawayasihk Cree Nation after the MFA-TLE settlement, accordingly, adding the Marcel Colomb First Nation (as of March 30, 1999) and the O-Pipon-Na-Piwin Cree Nation (as of November 25, 2005) to the list of MFA-TLE Entitlement First Nations. As of March 31, 2019, these two "new" First Nations had not executed TEAs under the MFA-TLE.

Chart 1: Dates of Treaty Entitlement Agreements and Amount of Crown Land and Other Land for Entitlement First Nations

Entitlement First Nations	Treaty Number	Date Treaty Entitlement Agreement (TEA) Signed	Crown Land (Acres)	Crown Land Set Apart	Other Land (Acres)	Other Land Set Apart	Total (Acres)
BARREN LANDS FIRST NATION	10	June 23, 1999	66,420	80.56	-	-	66,420
BROKENHEAD OJIBWAY NATION	1	September 9, 1998	4,344	672.00	10,137	7.46	14,481
BUFFALO POINT FIRST	3	March 24, 1998	3,432	2,450.90	607	0	4,039
BUNIBONIBEE CREE NATION	5	February 17, 1999	35,434	32,658.86	-	-	35,434
FOX LAKE CREE NATION	5	Unsigned	26,391	-	-	-	26,391
GOD'S LAKE FIRST NATION	5	May 28, 1999	42,600	16,310.04	-	-	42,600
MANTO SIPI CREE NATION	5	May 19, 1999	8,725	5,544.06	-	-	8,725
MARCEL COLOMB FIRST NATION	6	Unsigned	17,007	-	-	-	17,007
MATHIAS COLOMB CREE NATION	6	October 1, 2003	217,364	175,340.34	-	-	217,364
NISICHAWAYASIIHK CREE NATION	5	September 1, 1998**	61,761	33,816.01	-	-	61,761
NORTHLANDS FIRST NATION	10	November 9, 1999	94,084	45,173.40	-	-	94,084
NORWAY HOUSE CREE NATION	5	November 12, 1998	104,784	51,921.01	-	-	104,784
OPASKWAYAK CREE NATION	5	January 22, 1999	47,658	29,685.30	8,410	0	56,068
O-PIPON-NA-PIWIN CREE NATION	5	Unsigned	17,674	-	-	-	17,674
ROLLING RIVER FIRST NATION	4	March 6, 1998	2,356	2,350.70	44,756	3,778.99	47,112
SAPOTAWEYAK CREE NATION	4	September 1, 1998	108,134	99,701.73	36,045	.35	144,179
SAYISI DENE FIRST NATION	5	Unsigned	22,372	-	-	-	22,372
SHAMATTAWA FIRST NATION	5	Unsigned	24,912	-	-	-	24,912
WAR LAKE FIRST NATION	5	May 28, 1999	7,156	4,282.60	-	-	7,156
WUSKWI SIPIHK FIRST NATION	4	June 9, 1998	44,168	26,618.54	14,722	0	58,890
YORK FACTORY FIRST NATION	5	Unsigned	29,173	-	-	-	29,173
TOTAL			985,949	526,606.05	114,677	3,786.80	1,100,626

** The effective date of the NCN TEA is an issue that has been referred to the IMC by NCN. File: 1999-NCN-003

After 22 years of implementation, the work that the Parties to the MFA-TLE have undertaken has resulted in **530,392.85** acres of land being set apart as reserve. This total is comprised of **210** separate selections and 29 separate acquisitions of land, representing approximately **50%** of the overall TLE of the 15 EFNs that have signed their respective TEAs. The total amount of Crown Land for the 15 EFNs that have signed is **848,420.00** acres of which **63%** has been set apart as reserve. There is an additional **35,310.53** acres of Crown Land and that Manitoba has signed Provincial Orders in Council for which would result in the total amount being **565,703.38** acres of land transferred or **67%** of the 15 EFNs Total Land Amount to reserve. The Total Land Amount for the 15 EFNs is **963,097.00** acres, which is **88%** of the Total Land Amount and the remaining **12%** of the Total Land Amount is allocated to the Unsigned EFNs for Crown Land selections.

Chart 2 illustrates the acreage and number of parcels of land set apart as reserve annually since the signing of the MFA-TLE on May 29, 1997.

Chart 2: Acreage and Parcels Set Apart as Reserve Pursuant to the MFA-TLE between May 1997 and March 31, 2019

DATES	SELECTIONS		ACQUISITIONS		TOTAL	
	Acres	Parcels	Acres	Parcels	Acres	Parcels
May 29, 1997 – March 31, 1998	0	0	0	0	0	0
April 1, 1998 – March 31, 1999	0	0	0	0	0	0
April 1, 1999 – March 31, 2000	1,275.18	2	0	0	1,275.18	2
April 1, 2000 – March 31, 2001	0	0	0	0	0	0
April 1, 2001 – March 31, 2002	0	0	0	0	0	0
April 1, 2002 – March 31, 2003	0	0	0	0	0	0
April 1, 2003 – March 31, 2004	4,894.75	2	0	0	4,894.75	2
April 1, 2004 – March 31, 2005	7,040.30	9	0	0	7,040.30	9
April 1, 2005 – March 31, 2006	9,333.55	11	0	0	9,333.55	11
April 1, 2006 – March 31, 2007	24,362.48	13	158.14	1	24,520.62	14
April 1, 2007 – March 31, 2008	140,465.95	25	0	0	140,465.95	25
April 1, 2008 – March 31, 2009	123,874.29	21	2,571.39	19	126,445.68	40
April 1, 2009 - March 31, 2010	38,757.65	17	0	0	38,757.65	17
April 1, 2010 - March 31, 2011	100,604.70	13	0	0	100,604.70	13
April 1, 2011 – March 31, 2012	8,881.00	1	395.78	3	9,276.78	4
April 1, 2012 – March 31, 2013	112.00	1	0	0	112.0	1
April 1, 2013 – March 31, 2014	0	0	0.14	1	.14	0
April 1, 2014 – March 31, 2015	0	0	0	0	0	0
April 1, 2015 – March 31, 2016	1,091.20	2	463.03	3	1,554.23	5
April 1, 2016 – March 31, 2017	6,613.07	8	198.11	2	6,811.18	10
April 1, 2017 – March 31, 2018	47,430.43	64	0	0	47,430	64
April 1, 2018 – March 31, 2019	11,869.50	22	.21	1	11,869.71	23
TOTAL	514,736.55	211	3,786.8	30	530,392.42	240

The MFA-TLE provides detailed guidelines in the form of Principles for Land Selections and Acquisitions to provide direction to the EFNs with respect to Crown Land Selections and Acquisitions of private land. The MFA-TLE Parties agreed that land selected or acquired in accordance with the Principles would be eligible to be set apart as reserve, provided that the requirements of the MFA-TLE were satisfied. If issues or matters in dispute arise, the MFA-TLE provides for a detailed process and a structure for dispute resolution. This process includes guidelines for means, methods, suggested timelines and procedures for the IMC to utilise in resolving disputes.

The IMC is generally responsible for facilitating the implementation of the MFA-TLE process and providing the Senior Advisory Committee (SAC) with recommendations for the improvement of the implementation of the MFA-

TLE and any TEA. The IMC is responsible for an annual work plan that is jointly developed by the Parties and the findings of the IMC in relation to its work plan activities lead to recommendations.

This Annual Report is a summary on the progress of implementing the MFA-TLE and TEAs, the issues or matters in dispute that are on the agenda of the IMC as forwarded by the Parties or the First Nations. The Annual Report summarizes the 'Referrals', resolved or outstanding during 2018/2019 and informs the Parties and EFNs of the issues faced by the Parties and EFNs during the past fiscal year. Also highlighted within in the Annual report are the areas for improvement that have been identified and the steps being taken to build on opportunities for improvement to achieving the work plan targets under the three parts of the IMC Work Plan 2018/2019 (**Appendix B**).

IMC STRUCTURE AND WORK PLAN FOR 2018 - 2019

Under the terms of the MFA-TLE, the IMC is comprised of five members, two representatives appointed by the TLEC, one representative appointed by each of Canada and Manitoba and an Independent Chairperson. The Chairperson is appointed by the consensus of the President of the TLEC, the Deputy Minister of Manitoba Indigenous and Northern Relations (Manitoba) and the Regional Director General of the Manitoba Regional Office of Indigenous Services Canada (Canada).

In this fiscal year, the IMC Chairperson, Representatives, and Alternates were as follows:

Laren Bill	Independent Chairperson (April 1, 2018 – March 31, 2019)
Merrell-Ann Phare	TLEC IMC Representative (April 1, 2018 – March 31, 2019)
Chris Henderson	TLEC IMC Representative (April 1, 2018 – March 31, 2019)
Dave Hicks	Manitoba IMC Representative (April 1, 2018 – March 31, 2019)
Chelsea Silva	Manitoba IMC Alternate (May 16, 2018 – March 31, 2019)
Jonathan Arnold	Canada IMC Representative (April 1, 2018 – March 31, 2019)
Darryl Neufeld	Canada IMC Alternate (April 1, 2018 – March 31, 2019)

Section 31 of the MFA-TLE states that the Parties, TLEC, Canada and Manitoba agree that they will, in good faith use their best efforts to fulfill the terms of the MFA-TLE, and that includes their assignment of appropriate personnel to discharge the IMC obligations under the MFA-TLE and all undertakings and work connected to the IMC. Section 32 of the MFA-TLE provides that each EFN that executes a TEA will have the responsibility for the Selection and Acquisition of land pursuant to their TEAs using their best efforts in its implementation.

Each Annual IMC Work Plan is jointly developed by the MFA-TLE Members of the IMC and the IMC assigns the lead role for an activity to either a Member of a Party appointed to sit on the IMC, or the Chairperson. The Work Plan describes the issues or tasks, the actions required and targeted results, with agreed upon dates.

Summary of IMC Work Plan for April 2018 – March 2019

The current status of the nine (9) IMC Referral Files are presented as listed in the **2018/2019 IMC Work Plan Appendix B** and summarized in **Chart 3**.

Part 1 addresses the 9 IMC Referrals:

- 1999-BPFN-001: Land in a Provincial Park;
- 1999-BPFN-002: Reed River Selection of the Bed and Shoreline;
- 1999-NCN-003: Effective Date of Signing TEA;
- 2003-BON-001: Disposal of Surplus Federal Land and the MFA-TLE Process;
- 2004-BLFN-002: Lands in Severalty;
- 2007-TLEC-002: Hydro-Easement Agreement;
- 2016-TLEC-006. Material Failure Allegation.

There were two additional referrals made to the IMC during the fiscal year that resulted in Special IMC meetings to address the issues and matters in dispute.

2018-CANADA-001: Reasonable Means of Remedying Events of Default.

2018-NDFN-001: Reasonable Use Areas for Lodges and Out Post Camps.

Part 2 to facilitate Mining Claims Working Group: Facilitate and Coordinate meetings amongst the parties to generate consensus on a Tripartite Agreement and Regulation under the First Nations Commercial and Industrial Development Act that addresses Crown owned Mines & Minerals on TLE selections. Facilitate the process to see these documents adopted by the IMC & SAC as an “Agreed Form”.

Part 3 to provide assistance to MFA EFNs and Municipalities as requested to assist with providing information tools and templates that both parties can utilise for Municipal Development Service Agreements.

Part 4 to investigate the Information Technology that can be used as an online project management tool for all Parties to track parcels to be set apart as reserve.

Specific Tasks:

- Coordinate and facilitate IMC meetings;
- Record and finalize IMC meeting minutes including undertakings and decisions;
- Coordinate and Facilitate SAC meetings;
- Record and finalize SAC meeting minutes;
- Facilitate and Coordinate Agreed Forms meetings for resolving TPIs/Encumbrances;
- Facilitate and Coordinate the Strategic Planning meetings
- Participate, as requested by RMs or First Nations with resolving disputes;
- Complete the IMC 2018-2019 Annual Report;
- Maintain and update the IMC Website with current and relevant information;
- Carry out the necessary tasks to complete Activities 1-4 in the work plan.

IMC ROLE AND RESPONSIBILITY

The IMC is responsible for facilitating the implementation of the MFA-TLE, by among other things:

- Monitoring of the progress in implementation;
- Making recommendations to the Parties for the resolution of an issue or matter in dispute relating to the implementation of the MFA-TLE or any TEA referred to it by any Party or EFN; and
- Considering the appropriate method of resolution of an issue or matter in dispute; and

Under the general direction of the Independent Chairperson:

- Maintaining and distributing a record of decisions, awards and other pertinent information;
- Determining the sufficiency of information provided to the IMC in relation to implementation;
- If necessary, requesting that appropriate steps be taken to provide information as may be deemed appropriate related to implementation;
- In relation to the resolution of issues or matters in dispute, proposing time periods for responding to referrals, directing the completion of reports, identifying strengths and weaknesses of proposed solutions;
- Directing IMC members to assist in resolving issues or matters in dispute and proposing solutions;
- Retaining technical, special or legal advisors to provide advice, guidance and opinions to assist in the proper discharge of the duties of the IMC, in dealing with implementation matters or handling of issues or matters in dispute, with or without the agreement of the IMC;
- Recording the means of resolution or inability of the IMC to determine a means of resolution of an issue or matter in dispute referred to the IMC;
- Referring any matter the IMC cannot resolve by consensus to the SAC along with a statement of the issue, means recommended for resolution by the IMC Chairperson, summary of directions given and response of each IMC Party to the recommendation; and
- Preparing and tabling annual and other special reports to the Parties on the overall state of implementation, including a summary of issues addressed and resolved and recommendations for improvement of any aspect of the MFA-TLE implementation process.

2.0 PROGRESS ON THE 2018/2019 IMC WORK PLAN

The IMC is generally responsible for facilitating implementation of the MFA-TLE and any TEA that includes monitoring the progress of the Parties and the EFNs with implementation, and making recommendations to

facilitate implementation, and assisting the Parties with the resolution of any matters or issues in dispute under the MFA-TLE.

The Work Plan represents the IMC's agreed scope of activities in the 2018/2019 fiscal year, but it does not replace nor is it intended to alter the terms of neither the MFA-TLE nor any of the obligations of the Parties or the IMC as set out in the MFA-TLE. This section of the Annual Report is formatted to generally follow the IMC's 2018/2019 Work Plan.

IMC WORK PLAN: RESOLVING OR REFERRING DISPUTES

The IMC provides for management of Referrals of Issues or Matters in dispute received by the IMC. The IMC prioritized Referral resolution in its 2018/2019 Work Plan. With respect to the unresolved issues/matters (I/M) in dispute referred to the IMC, the IMC process follows a structured submission approach. In accordance with the I/M Referral Protocol, once each of the Parties' role in the I/M is detailed and each Party/EFN's views and opinions are reflected accurately and comprehensively, the IMC's goal is to resolve the I/M by consensus.

Depending on if the I/M is broad based in nature or specific to an individual parcel of land, and the nature of the views and opinions submitted by the Parties, the Chairperson may recommend that: a discussion paper be developed to analyze the situation and clarify linkages to the MFA-TLE provisions, or a Focus Group meeting(s) be convened to discuss the matter in detail, clarify misunderstandings if any, and arrive at a consensus.

If the IMC discussions of the Chairperson's summary document, and/or discussion paper and/or Focus Group discussions do not result in a consensus; the Chairperson may update his/her summary document, based on the IMC and Focus Group discussions, and add two additional sections, The Proposed Interpretation of the MFA-TLE by the Chairperson, and Chairperson's Proposed Resolution as per MFA-TLE Paragraph 34.09(5)(e), and circulate this updated summary document to the IMC with a time frame for comments.

If the updated Chairperson's summary document does not result in a consensus, the Chairperson's summary document serves as the information required pursuant to MFA-TLE 34.09(7) and (9) for a referral of the I/M to the SAC. (i.e. the I/M summary, any means recommended by the Chairperson for resolving the I/M, any direction to the members to consider the recommendation within a specified time period, any response of the IMC members provided to a recommendation of the Chairperson, and the Chairperson's recommendation on the proposed time period within which the SAC should attempt to resolve the I/M).

At the beginning of the 2018/2019, there were six (6) Referrals of issues/matters in dispute before the IMC, and by the end of the fiscal year, two additional Referrals were made to the IMC.

IMC POLICIES AND PROCEDURES

The IMC discussed proposed revisions to the **IMC Policies and Procedures Manual - Appendix C** with regard to the arbitration process and communication of the results of decisions. The process resulted in some additional clarifications to the policy with regard to time frames and further guidance for the IMC on the two approaches to address a Referral. The IMC is working on drafting language that will assist the parties in the future with how to address and track decisions that are issued by an arbitrator. The discussion focussed on when does the arbitration process and IMC referral file formally close. Once a decision is rendered by the arbitrators there remain elements that the IMC has the authority to monitor and ensure the award of the arbitrator is and has been implemented.

The IMC is in the process of formalizing the communication process with regard to sharing the decisions of the past arbitrations on the IMC website and directing inquiries to arbitrations that have been appealed to the Court of Queen's Bench. A web link will be input onto the IMC website which will allow the Parties and EFNs to track the status of the court proceedings should future arbitrations be appealed.

During the 2018/19 fiscal year there were nine (9) Referral files before the IMC. The current IMC Referrals are:

1999-BPFN-001 – Selection in a Provincial Park is a parcel specific issue and affects 116.4 acres, (Birch Point Park) the dispute is between Manitoba and Buffalo Point on the eligibility of this selection and the decision from the arbitrator issued December 22, 2016;

1999-BPFN-002 – Selection of the Bed and the Shore along a Non-navigable waterway by Buffalo Point First Nation known as Reed River and the implications with regard Manitoba's position to determine eligibility based on if the waterway is Navigable or Non-navigable;

1999-NCN-003 – Effective Date of signing the TEA relates to a three month time period where the signing ceremony was held at Nisichawayasihk Cree Nation and the subsequent signature of the Minister of Indigenous Services Canada signing the TEA after the ceremony;

2003-BON-001 – Surplus Federal Land – Kapyong is in relation to Canada's characterization of the lands that Brokenhead Ojibway Nation (BON) expressed an interest in as "Strategic Disposal" lands and process steps that BON asserts were not adhered to under the MFA-TLE;

2004-BLFN-002 – Material Failure - Land in Severalty (LIS) had been referred to binding arbitration and but, Barren Land First Nation (BLFN) Manitoba and Canada have since agreed to negotiate a set of principles to implement LIS;

2007-TLEC-002 – Hydro-Easement Agreement referral, TLEC referred this matter to the IMC with regard to two issues that TLEC asserts should be included within the agreement;

2016-TLEC-006 – Material Failure Allegation - TLEC referred this matter to the IMC focusing on Section 40.07 of the MFA-TLE which states that "This agreement shall not be varied or amended except by written agreement of the parties".

2018-CANADA-001 – Reasonable Means of Remedying Events of Default – Canada referred this matter to the IMC to seek assistance with addressing the reasonable Means of Remedying the Events of Default identified by the Arbitrator stemming from TLEC's referral in 2016.

2018-NDFN-001 – Issue Matter in Dispute – NDFN referred this matter to the IMC to address the issue regarding the Reasonable Use Area identified by Manitoba for selections that have been made where lodges and outpost camps are located.

Chart 3: March 31, 2019 Status of IMC Referrals

REFERRAL FILE	SHORT TITLE	ACRES AFFECTED	STATUS	RESPONSIBILITY FOR NEXT STEP
1999-BPFN-001	Selections in Provincial Park	116.4	On December 22, 2016 the Arbitrator found that the Birch Point selection is eligible to be set apart as Reserve in accordance with the Principles for Land Selections and Acquisitions, having regard to the wording of 3.03(6) of the MFA-TLE. Negotiations continue regarding the access road, parking lot, boat launch, Crown infrastructure/improvements and break waters. The IMC continues to monitor the negotiations.	Chairperson Manitoba BPFN
1999-BPFN-002	Reed River – Bed and Shoreline	~10	On March 11, 2019 Canada wrote to the Chairperson confirming that the Reed River is a Non-Navigable Waterway. Canada will be writing to BPFN to confirm the same.	Chairperson Manitoba Canada
1999-NCN-003	TEA Effective Date	0	ISC provided a response to NCN on January 18, 2017. NCN sent a letter to ISC dated June 14, 2018 accepting ISC's proposed method of resolution.	Chairperson NCN
2003-BON-001	Surplus Federal Land -	160	This referral remains in abeyance. BON and Canada are in active and ongoing negotiations over several months. The	Chairperson BON Canada

REFERRAL FILE	SHORT TITLE	ACRES AFFECTED	STATUS	RESPONSIBILITY FOR NEXT STEP
	Kapyong		discussions have been very productive and it is anticipated that a Comprehensive Settlement Agreement will be agreed to in the near future.	
2004-BLFN-002	Material Failure re Land in Severalty (LIS)	230 members x 160 acres = 36,800	The Referral remains in abeyance while the LIS agreement is being finalized and discussion regarding funding the implementation of LIS agreement.	Chairperson BLFN Canada Manitoba TLEC
2007-TLEC-002	Hydro-Easement (H/E)	80,522	TLEC has placed their Referral into abeyance while BON continues discussions with Manitoba and Manitoba Hydro on a Form of Hydro-Easement Agreement.	Chairperson BON Manitoba Manitoba Hydro
2016-TLEC-006	Material Failure Allegation	25,000	The Arbitrator ruled on March 19, 2018 that Canada was in breach of 40.07 of the MFA-TLE.	TLEC Canada
2018-CANADA-002	Reasonable Means of Remedying Events of Default	25,000	Canada has placed this referral in to abeyance while the issue is addressed at the Federal Court.	Canada TLEC
2018-NDFN-001	Lodges and Outpost Camps	7,516.55	The IMC continues to gather the facts concerning this referral.	IMC Chairperson TLEC Manitoba Canada

2.1 REFERRAL - #1999-BPFN-001: LAND IN A PROVINCIAL PARK – AWARD IMPLEMENTATION

Referral Date: June 23, 1999.

Issue or Matter in Dispute: The Buffalo Point First Nation (BPFN) wrote to the IMC Chairperson and referred its Birch Point selection pursuant to MFA-TLE Subsection 6.02(8) of 116.4 acres that included Birch Point Provincial Park which was categorised as ineligible by Manitoba. BPFN views the MFA-TLE Subsection 3.03(6) wording that EFNs may not 'generally' select lands in Provincial Parks may be interpreted so that the word "generally" implies that exceptions may be made, and that Manitoba erred in its interpretation of MFA-TLE Subsection 3.02(12) to the Selection.

The issue was referred to Binding Arbitration and resulted in a decision in favour of BPFN on December 22, 2016. Additional issues regarding the access road to Lake of Woods, the boat launch, improvements, parking lot and breakwater continue to be negotiated.

PROGRESS DURING 2018/2019:

The progress made on this issue throughout the fiscal year is described as follows. On April 4, 2018 a letter was sent to Manitoba Sustainable Development (**Appendix D**) as a follow-up to a meeting held February 1, 2018 regarding the configuration of the boundary of the Birch Point selection.

On April 9, 2018 the Chairperson provided an update on the status of a discussion that was held with BPFN, Manitoba and TLEC on February 1, 2018. The Chairperson indicated to the IMC Members that he met with BPFN on March 14 and NRCan to clarify a few of the issues that were raised with regard to the boundary of the selection and the location of the boat launch, road and parking lot. It was stated by Manitoba during the February 1st meeting that the boat launch and parking lot were within the boundary of the Birch Point Recreation Park and that the Boat

Launch did not form part of the selection. When the Chairperson met with BPFN and NRCan it was evident that this is not the case. Where in fact the BPFN did select the Boat Launch, road and the Parking Lot and that these areas mentioned are not within the Birch Point Park Boundary. It was further clarified that the road leading to the Lake of the Woods is not under the jurisdiction of Manitoba Highways/Infrastructure.

As a result of these findings the Chairperson wrote to the Director of Sustainable Development to clarify the statements that were made during the meeting of February 1, 2018. The Chairperson also included the map that was prepared by NRCan with the correct boundary of the selection and location of the Birch Point Park boundary. The Chairperson further clarified for the IMC Members that since the arbitration decision was rendered in December 22, 2016 that there has been no substantial discussion between Manitoba since the issuance of the Arbitrators decision until the meeting which was held February 1st, 2018. BPFN also confirmed that no substantial discussions on the Birch Point Park Selection were held prior to the February 1 meeting.

There have been no requests by either Party to suspend discussions on this issue. BPFN did file a Motion Brief on January 26, 2018 as a result of a year passing and as a result of not receiving any indication from Manitoba if discussions on the file were going to take place. The hearing date was set by the Provincial Court for June 5th at 10 AM.

As of May 16, 2018 a letter from Manitoba to BPFN was still outstanding as a follow-up from the February 1, 2018 meeting. During this time the appeal was still proceeding to a hearing which was set for June 5th at 10 AM.

On June 22, 2018 A letter from Manitoba was still outstanding. The appeal was removed from The Court of Queen's Bench. Manitoba was in the process of confirming the steps required to remove the Park from their regulation. Manitoba identified areas they would like to have resolved prior to the Park becoming de-regulated. The main issues that require resolution are: Access to the Lake of the Woods; the infrastructure currently within the Park; boat launch as well as the parking lot. Manitoba will be proposing an Access Agreement or exclusion of the road to the boat launch. The Arbitration costs and appeal costs were addressed with Buffalo Point First Nation directly. The issue of consultation was raised by ISC in relation to the Métis being consulted on the deregulation of this Park. Additionally, Manitoba was asked if a stakeholder list had been developed for the initiation of this consultation process. ISC indicated that they will be sending a letter asking the parties to consider co-management of the park. It is not clear if the request is to manage it as Provincial or as Reserve land. The purpose of the consultation is not to prevent the lands from being set apart as reserve.

On September 18, 2018 Manitoba confirmed that they are moving forward with setting apart the lands within the Park as reserve. The main issues that require resolution continue with regard to an access agreement, Sustainable Development to gather uses of the park. Manitoba provided a letter on the options for addressing the infrastructure and access to Lake of the Woods. Discussions remain ongoing between Manitoba and BPFN. Manitoba was to follow up with BPFN regarding lease agreement examples (OCN' Egg Lake selection). The figures on the use of the Park will be provided by the Parks Branch. The Chairperson sought clarification from Manitoba with respect to the Arbitrators decision and whether this decision is applicable to all EFN selections within parks or if this is case specific? Manitoba advised that this was case specific and will not be removing lands from other Parks for other TLE selections.

The update provided by Manitoba on November 29, 2018 was that Manitoba was waiting for a response from BPFN on how they would like to proceed with the transfer of these lands. The Chairperson followed-up with NRCan and as well as the Federal Surveyor General to assist with mapping the acreage for the Reed River.

On March 12, 2019 despite the Arbitration decision having indicated that the lands should be set apart as reserve, Manitoba maintains that there are additional issues to be resolved. The main issues are with the infrastructure, boat launch, breakwater, beacon, and road. BPFN has been sent a letter regarding these additional issues that Manitoba has identified and the IMC is awaiting a response to these issues. Manitoba indicated that a parcel review meeting took place on March 28 with BPFN at which time they discussed the park and issues referenced above. Manitoba also confirmed that the legal fees for BPFN's legal counsel have been addressed. Manitoba is also working on a Draft lease agreement for the infrastructure located at the park.

2.2 REFERRAL - #1999-BPFN-002: REED RIVER BED AND SHORELINE

Referral Date: June 23, 1999

The Buffalo Point First Nation (BPFN) selected parcels of land adjacent to their existing reserve known as Reed River 36A, consisting of approximately 116 acres, on December 21, 1998 by BCR #265-175 and BCR #265-176 in

partial fulfillment of its Treaty Land Entitlement. It is located adjacent to Buffalo Bay and Lake of the Woods. The issue in dispute relates to the exclusion of the bed and shores of the Reed River of which the original selection was approximately 5,443.9 acres.

Manitoba advised that the portion of the Gould's Point/Poplar Point Selection that encompasses the bed and shore of the Reed River is not available in accordance with MFA-TLE Subsection 12.02 of the Framework Agreement which states that the land is available for transfer to the ordinary high water mark of the Reed River. In addition, Manitoba advised that the portion of the BPFN Selection conflicts with an area identified in a Timber Sale agreement MSB 1301 SPM, Boutang Enterprises Ltd. and Timber Sale Agreement MST, 1303 SPM J. Hovorka & Sons Ltd. to be harvested or subject to road construction within three years of the Date of Selection and may be eligible for Selection if the requirements of Subsections 3.03(25) to 33 inclusive of the Framework Agreement are met.

Manitoba further advised that the following Third Party Interest will have to be resolved to the satisfaction of Canada, Manitoba, the Entitlement First Nation and the holder of the Third party interest in accordance with Section 10 of the Framework Agreement prior to the transfer of administration and control of the land by Manitoba to Canada. The holder and interest identified was a Mining claim MtK22SV8830 and Mat 26SV8782 in favor of Indicator Explorations Ltd. 57 Greenway Crescent Winnipeg, Manitoba.

The aspects of the Framework Agreement that are relevant in determining the eligibility of this original selection are found in the definition of a Navigable Waterway under Article 1.01(62). Within this definition there is reference to a common law understanding of what constitutes a Navigable Waterway. The limiting factor of what defines a Navigable Waterway is found within the definition whereby, "does not include a waterway which does not ordinarily have a discernible surface outlet suitable for navigation or transportation." To fully understand what a Navigable Waterway is the only provision in the Framework Agreement is a definition of a Non-navigable Waterway, simply put a body of water that is not a Navigable Waterway. This does demonstrate that there may be circumstances encountered by the Parties that a body of water may be Non-navigable. The Framework Agreement provides further guidance with respect to selections or acquisitions of a Non-navigable waterway in Article 12 Water Interests.

BPFN disagrees with Manitoba's characterization of the Reed River as a Navigable Waterway under the MFA-TLE. Article 12 addresses both scenarios where a waterway is Navigable and Non-navigable. BPFN and TLEC take the view that this waterway is a Non-navigable Waterway and should be made available and inclusive of the original selection.

The MFA-TLE Article 12.01 provision is clear that should a water body be deemed Non-navigable an Entitlement First Nation may select or acquire land which includes the beds of that water body.

PROGRESS DURING 2018/2019:

During an IMC meeting on April 9, 2018, Manitoba confirmed that they spoke to the Director General of Surveys Canada to confirm that for the Reed River 36A Reserve that historically was set apart as reserve, the Buffalo Point First Nation owns the bed and shore of the Reed River adjacent to the Reed River 36A Reserve. For the new TLE selections that have been set apart as reserve, Manitoba is of the view that Buffalo Point First Nation owns a portion of the bed and shore of the Reed River. The Director General of Surveys Canada also confirmed that Reed River is a non-Navigable Waterway. There is a concept referred to as accretion that involves the shoreline of the Reed River being added to gradually or increasing where the flow of the waters may have changed. Manitoba committed to providing a letter and revised map illustrating the way that the lands would be added to reserve and the explanation provided by the Director General of Surveys Canada.

During an IMC meeting on May 16, 2018 The Director General of Surveys Canada also confirmed that Reed River is a non-Navigable Waterway. Manitoba committed to providing a letter and revised map illustrating the way that the lands would be added to reserve and the explanation provided by the Director General of Surveys Canada. This is outstanding from February 1, 2018.

On June 22, 2018 the Lands Branch updated the IMC by confirming that they were in the process of pulling the plan of survey for the lands that have been set apart as reserve along the Reed River. This information was to be used to determine the amount of land that is under the Reed River to be included as the Bed and the Shore. There was movement on this issue, but the work load of staff within Manitoba posed some challenges.

At the September 18, 2018 IMC meeting Manitoba confirmed the area of the Reed River that is to be selected. It has been suggested to BPFN to contact NRCan to obtain an accurate map of the acreage for the amount of land (bed & shore) that would be included as the lands to be set apart as reserve.

On January 10, 2019 the Chairperson stated that he would draft a letter to send to Manitoba and Canada with regard to the confirmation that the Reed River has been deemed a non-navigable water way. The Chairperson include within the letter a suggested date for a response from Canada and Manitoba to confirm that the Reed River is a non-navigable waterway.

During the March 12, 2019 IMC meeting the Chairperson provided an update indicating that a letter was sent to Canada and Manitoba dated March 5 requesting confirmation that the Reed River has been deemed a non-navigable water way. The Surveyor General of Canada may be needed to confirm that Canada is in agreement that the Reed River is in fact a Non-navigable Waterway. The Navigable *Waters Protection Act* is a federal piece of legislation that identifies the water bodies that are navigable and non-navigable.

2.3 REFERRAL - #1999-NCN-003: EFFECTIVE DATE OF AGREEMENT

Referral Date: August 25, 1999.

The Nisichawayasihk Cree Nation (NCN) referred this issue to the IMC in disagreement with Canada on the 'Effective Date of Agreement' of NCN's Treaty Entitlement Agreement (TEA). The NCN and Manitoba signed the TEA on the ceremonial date of July 30, 1998 that occurred at NCN, and the Federal Minister of ISC did not sign the TEA until September 1, 1998.

Issue or Matter in Dispute (I/M): The NCN alleged that the effective date of their TEA was July 30, 1998, as this was the date that was typed on the TEA, and the date of the signing ceremony in Nelson House. All parties signed the TEA that day and Canada had a representative initial beside the signature block. Canada subsequently sent the TEA to the Minister's office where it was signed by Minister Jane Stewart (ISC).

The July 30, 1998 date is the 90th anniversary date of NCN's signing its adhesion on July 30, 1908 to Treaty No. 5. Canada provided its position on May 12, 2011 that the date of execution is "September 1, 1998". Canada references MFA-TLE Section 30.03 that reads "Coming into Force, 30.01 Effective Date of Agreement. This Agreement shall come into force as between the parties on the Date of Execution" and stated this is to mean when signatures are executed by all the Parties."

PROGRESS DURING 2018/2019:

On April 9, 2018 ISC updated the IMC by indicating that a letter dated January 23 was sent to to Chief Moody indicating that ISC will acknowledge the original signing date of July 30, 1998. However, if ever required to use the TEA date in a legal context, the September 1, 1998 date will be referred to. The next step will be for Nisichawayasihk Cree Nation to acknowledge this letter and that they are in agreement with the method of resolution as well as sending a letter to the IMC withdrawing the referral. Once this has been accomplished, the IMC Chairperson will formally close the referral file.

During the June 22, 2018 IMC meeting the update was remained the same as and there was no change with regard to the status of this referral. A letter is outstanding from NCN. The Chairperson was in contact with NCN prior to the IMC meeting and they had indicated that a letter would be provided to the IMC prior to the end of the June.

At the September 18, 2018 IMC meeting the update provided was that a response from NCN was received June 14, 2018. The Chairperson received a copy of the letter that was sent to ISC which indicated that NCN is in agreement with the proposed method of resolution for the matter in dispute. NCN indicated that they will be sending the IMC a letter stating that they have agreed with the method of resolution and would like to close the referral. The Chairperson will followed-up with NCN to confirm when the letter will be sent to close the referral file.

At the IMC meeting held on March 12, 2019 the Chairperson indicated that he contacted NCN on numerous occasions, but NCN have not submitted the letter to close this referral. The Chairperson commented that despite the wording in the IMC Policy and Procedures Manual stating that if a referral is left without a response for more than two years that a referral will be deemed to be abandoned, this is a unique case. The NCN have agreed to the method of resolution proposed by Canada and the only step left is for NCN to formally close the file. The Chairperson recommended to the IMC to amend the policy to address this situation where agreement on the

method of resolution has been reached, but a letter closing the referral has not been sent to the IMC. The Chairperson recommended that since the last piece of correspondence from NCN was dated June 14th, 2018 that one year or June 14th, 2019 has passed without a response and that this would be a reasonable amount of time to allow for a response. If there is no response provided by June 14th, 2019 the IMC will close this referral file.

2.4 REFERRAL - #2003-BON-001: DISPOSAL OF SURPLUS FEDERAL LAND AND THE MFA-TLE PROCESS

Referral Date: January 22, 2003.

Issue or Matter in Dispute (I/M): The Brokenhead Ojibway Nation (BON) referred the issue or matter in dispute to the IMC pursuant to MFA-TLE Section 34 alleging that Canada failed to forward notice of Surplus Federal Land; re the Kapyong Barracks to the BON, and Canada erred in interpreting that the MFA-TLE provisions dealing with Surplus Federal Crown property did not apply to the Kapyong Barracks and its classification of the lands as a “strategic disposal” under the Treasury Board Policy on the Disposal of Surplus Real Property and that it would be transferred to the Canada Lands Company for disposal.

In its referral letter of January 22, 2003 the BON requested the dispute resolution process pursuant to MFA-TLE section 34, alleging that Canada failed to forward a notice of Surplus Federal Land, with respect to the Kapyong Barracks to the BON, and that Canada erred in its interpretation that the MFA-TLE provisions dealing with surplus Federal Crown property did not apply to the Kapyong Barracks

The BON selected a parcel of approximately 160 acres of surplus Federal Crown land (Kapyong Barracks in Winnipeg, Manitoba). On December 4, 2002, Canada advised BON that the Kapyong Barracks had been designated as a “strategic disposal” under the Treasury Board Policy on the Disposal of Surplus Real Property and that it would be transferred to the Canada Lands Company for disposal. In addition Canada advised that the MFA-TLE did not apply to the strategic disposal process, as the interest of the EFN's cannot be considered on a priority basis.

On January 13, 2011 this Referral was formally placed in abeyance by the IMC due to continuing litigation of this matter by the Treaty No. 1 First Nations (including BON) who filed for an application for judicial review on January 25, 2008. A decision was rendered on September 30, 2009 in favour of the First Nation and appealed by Canada. The appeal was allowed and the matter returned to the Federal Court. Canada is appealed to the Federal Court of Appeal to a second ruling in favour of the First Nations of November 2012. The BON has formally advised the IMC it had extracted itself from the legal proceedings. Mr. Maurice Law, on behalf of BON, filed a Motion of Partial Discontinuance in the Federal Court of Canada on September 29, 2011 and thereby BON discontinued its participation as an Applicant in Action No. T-139-08.

The IMC decided by consensus at the IMC meeting of December 16 & 17, 2010 to formally place this issue/matter in dispute in abeyance while the litigation is ongoing. The Chairperson wrote to BON Chief and Council on January 13, 2011 and advised that the 2003-BON-001 referral had been formally placed in abeyance by the IMC due to the ongoing litigation of this matter.

PROGRESS DURING 2018/2019:

The Chairperson updated the IMC on April 9, 2018 that he met with Chief Bear in BON on March 2nd. Chief Bear indicated that they would be sending a letter providing an update on the discussions with the Department of National Defence.

Subsequently to the April update the Chairperson indicated on June 22, 2018 a response was not received from BON since the last letter of November 18, 2017. It is anticipated that a current letter would be provided since the Chairperson met with the new BON Chief and Council on June 4 to explain the issue and requested a letter.

The Chairperson will followed-up with BON to determine the status of the referral. Canada indicated that there has been some initial discussion about a joint reserve and the designation process. Canada has encouraged the process of designation through the *First Nations Land Management Act* (FNLMA). Canada indicated that Peguis First Nation signed their MDSA with the city of Winnipeg so this will provide some assistance when the Treaty 1 Chiefs will need an MDSA for the Kapyong Barracks lands.

On March 12, 2019 at the IMC meeting it was recorded that the IMC was awaiting a response from BON with regard to keeping this referral active as well as an update on the status of negotiations. Canada indicated that there is a second round of demolition scheduled and is to be cleared by the summer of 2019.

2.5 REFERRAL - #2004-BLFN-002: LAND IN SEVERALTY

Referral Date: May 5, 2004.

Issue or Matter in Dispute (I/M): Barren Lands First Nation (BLFN) alleges that Canada had materially failed to comply with a fundamental term of the MFA-TLE regarding the LIS issue, that although its members had given Canada notice of their election to take LIS in accordance with MFA-TLE Subsection 9.01(1), Canada had failed to enter into discussion with those members pursuant to MFA-TLE Subsection 9.01(4).

PROGRESS DURING 2018/2019:

The April 9, 2018 IMC meeting update on the status of LIS meeting is confirmed for April 26 at Myers Weinberg's Office. It is anticipated that this will be one of the final meetings and that a final agreement will be drafted resulting from this meeting. There are a few more issues related to the implementation funding for BLFN as well as funding for a Land Selection Study. This will require approvals by folks within ISC Headquarters.

On May 16, 2018 at the IMC meeting, the update from the Chairperson on the LIS meeting held on April 26 was that it was anticipated that there will be a few final meetings and that a final agreement will be completed within the next six months. The implementation funding remained an issue for BLFN as well as funding for a Land Selection Study.

During the September 18, 2018 IMC meeting a question was raised by Canada with regard to the LIS Agreement and the dispute resolution process identified in the LIS agreement which does not include the IMC. If the BLFN is a signatory to the MFA-TLE why would the LIS agreement not also include the IMC dispute resolution process. The Chairperson provided his understanding for this and that the reasoning is that there are 230 LIS members that would potentially have an issue or matter in dispute that would be submitted to the IMC. The main concern is that the IMC would not be equipped to be able to address a handful of issues or matters if they were to be submitted to the IMC. Additionally, having the Arbitration process would focus the cost of the dispute on the LIS Member rather than the Member relying on the BLFN to cover costs associated with a dispute.

The update provided during the November 29, 2018 IMC meeting on LIS discussion was that there remain a number of undertakings that Canada and Manitoba are required to complete in advance of the next LIS meeting. The main items that will require a decision from Canada are in relation to the funding for a land selection study for BLFN as well as Implementation funding.

On March 12, 2019 the update provided at the IMC was that BLFN Legal Counsel and Consultant continued to move this file forward with Canada, Manitoba and TLEC present at the negotiation table. The next teleconference meetings were scheduled for March 14 and April 23. Canada commented that \$400K has been approved to be sent to BLFN for preparatory work on the Land Study. The funding has been approved for this fiscal year as well as next fiscal year (2020). The proposed timeline for the LIS Members to select their lands and have them set apart as reserve is estimated to take 10 years.

2.6 REFERRAL - #2007-TLEC-005: CROWN RESERVATIONS – PORTAGES – AWARD IMPLEMENTATION

Referral Date: July 18, 2007.

Issue or Matter in Dispute (I/M): TLEC referred Manitoba's treatment of "Crown Reservation – Portages" as an I/M to the IMC. TLEC asserted that a portage is defined as a Crown Reservation under MFA Subsection 1.01(21) and transferable to Canada in accordance with MFA 7.01(2). Manitoba asserts the need for continuation of public access to the portage areas, as a matter of public policy that Manitoba asserted was not considered under the MFA Principles in accordance with MFA Sections 3.01(4) and (5), and referable to the IMC under MFA Section 3.11. The portages cross two of Bunibonibee Cree Nation's (BCN) selections at Trout Falls and Wipanipanis Portage.

On February 8, 2012 in accordance with MFA Subsection 34.09(7) the Chairperson determined that the IMC was unable to make a decision on a means of resolving this issue or matter (I/M) in dispute by consensus and made a Referral to the Senior Advisory Committee.

A meeting of the Senior Advisory Committee held on March 22, 2012 to consider the referral, failed to come to a consensus on the means to resolve the I/M in dispute and as to the dispute resolution mechanism. The Arbitration decision was rendered April 16, 2014 in favour of Bunibonibee Cree Nation. The arbitrator ruled that:

The definition of "Crown Reservations" shows that the parties did address that issue. I therefore find that the MFA does in fact address the issue of public access to portages and that the parties intended to omit this issue from the Principles. Manitoba therefore has a duty to transfer to Canada the eligible lands in question, including the public access to portages (one of the Crown Reservations to be transferred), for the benefit of the BCN.

Having declared that the sites in question are eligible, and having no other basis for objecting to the sites, Manitoba must fulfill its obligations under the MFA and transfer to Canada the eligible lands in question, including the public access to portages (one of the Crown Reservations to be transferred), for the benefit of the BCN.

PROGRESS DURING 2018/2019

The IMC continues to monitor the BCN selections referred to as Trout Falls and Wipanipanis. These parcels have not been set apart as reserve. These two main parcels were the primary focus of the referral. The Trout Falls parcel was surveyed and the survey plan was registered in the Canada Lands Survey registry on March 13, 2019. It was anticipated that the Wipanipanis parcel survey was to be completed by the end of March. Consultation for the Trout Falls parcel will begin in April of 2019.

Manitoba also acknowledged by letter dated July 18, 2014 from the Minister of Aboriginal and Northern Affairs that all selections that the EFNs have made where portages are identified will be set apart as reserve.

2.7 REFERRAL - #2007-TLEC-002: HYDRO-EASEMENTS - ABEYANCE

Referral Date: August 27, 2007.

Issue or Matter in Dispute (I/M): In its referral TLEC asserted that Manitoba is not entitled to retain partial constitutional jurisdiction that the Crown (Manitoba) asserts is required to support a hydro easement required by Manitoba Hydro; and secondly that the hydro-easement should set out a resolution process whereby the EFNs can address alleged impacts on the EFN's existing Aboriginal and Treaty rights, as well as any potential claim to compensation in respect of the hydro-easement area.

TLEC's letter of January 13, 2012 submitted its findings and recommendations on the main concerns of the EFNs with both the hydro-easement document and the hydro-easement line determination process and proposed an alternate form of hydro-easement document in December 2013.

PROGRESS DURING 2018/2019

On April 9, 2018 the IMC was provided with the update that BON continues to with internal discussions about next steps in the negotiation process with Manitoba and Manitoba Hydro.

The update provided at the IMC on May 16, 2018 was that there are a few remaining issues that need to be resolved. These include a request from Manitoba to have a revised non-derogation clause, BON's request to have a nonbinding MOU for cooperative management of the easement lands through an adaptive management plan. Also, a request from Manitoba for an amendment to BON's Land code, to state that, BON can grant a Hydro-Easement. Manitoba will be following up with their Civil Legal Services to determine the status of the discussions with BON.

The additional issue that was provided at the September 18, 2018 IMC meeting was that BON has requested Manitoba Hydro to work on the matter to address the question of privatization. A meeting between BON and Manitoba Hydro has not been scheduled to date.

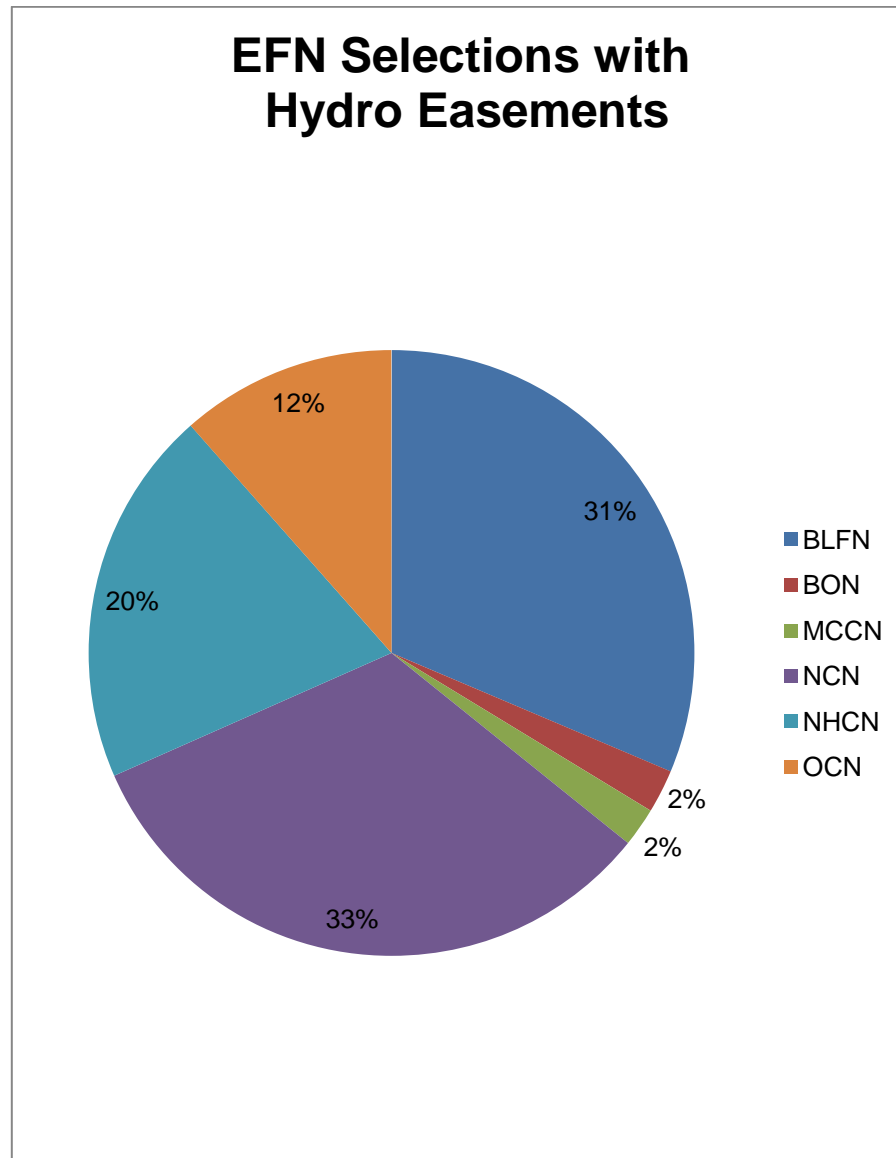
As of March 12, 2019 the negotiations remain ongoing between BON and Manitoba. It is anticipated that a meeting will take place at in the new fiscal year.

The following chart is a breakdown of the EFNs that have selected lands where a hydro easement has been identified by Manitoba and Manitoba Hydro.

Entitlement First Nation	Acres	% of Crown Land Quantum (acres)	# of Parcels with Hydro-Easement Requirement
Brokenhead Ojibway Nation	2,083.82	48%	6
Mathias Colomb Cree Nation	1,857.09	>1%	3
Nisichawayasihk Cree Nation	29,224.84	38%	20
Norway House Cree Nation	18,034.14	16%	38
Opaskwayak Cree Nation	10,320.35	18%	3
Total Acres Encumbered	61,520.24	18%	70

*Barren Lands First Nation also has lands (28,136.24 acres) unable to be set apart as reserve due to hydro developments by SaskPower and the regulation of the water body known as Reindeer Lake.

Chart 4: EFN Selections with Hydro Easements



The chart above illustrates the total amount of acres that have been identified for all six Entitlement First Nations. The total amount is **89,656.48 acres** which is then distributed amongst each EFN as a percentage of the total amount. The top three EFNs with lands that require a hydro easement are Barren Lands First Nation, Norway House Cree Nation and Nisichawayashik Cree Nation.

2.8 REFERRAL - #2016-TLEC-006: MATERIAL FAILURE ALLEGATION – AWARD IMPLEMENTATION

Referral Date: January 5, 2016

Material Failure Allegation: The Treaty Land Entitlement Committee Inc. (TLEC) alleged that, by consulting with the Métis regarding the Lands at Issue, Canada generally failed to meet the terms of Articles 6, 7 and 8 of the MFA, and more specifically sections 8.02 and 40.07.

TLEC also alleged that by consulting with the Métis regarding the Lands at Issue Canada materially failed to comply with fundamental terms or conditions of the MFA, including section 31.03, and further that their conduct amounts to Events of Default under section 36.01 of the MFA.

The Parties together with the Government of Canada entered into a Manitoba Framework Agreement on Treaty Land Entitlement on May 29, 1997 (hereinafter the “MFA”); A dispute has arisen between TLEC and Canada in

relation to the MFA that has been referred to the Implementation Monitoring Committee (“IMC”) as “IMC Referral File 2016-TLEC-006”; and

The TLEC and Canada agree to have this dispute resolved through binding arbitration conducted in accordance with the terms of the MFA and the “Adjudicator Reference for Binding Arbitration IMC Referral File: 2016-TLEC-006” (Annex - “A”). The Chairperson referred this issue in dispute to binding arbitration in accordance with the MFA and as set out in the “Adjudication Reference for Binding Arbitration File: 2016-TLEC-006”.

The decision from the Arbitrator was reached on March 19, 2018. The Arbitration decision is clear in that “Canada has effectively amended the Agreement by inserting into the agreed upon implementation process a step which is not provided for in the Agreement and which has a significant impact on the Agreement's implementation.”

PROGRESS DURING 2018/2019:

Following the decision from the Arbitrator the IMC monitored the implementation of the award and an update was provided to the IMC on May 16, 2018. The update was that TLEC and Canada were in discussion about the award and the remedy. Both parties met to discuss and address the Events of Default. The parties were in the process of quantifying damages and discussions about the consultation process as well as reviewing amendments to the MFA-TLE and other issues.

TLEC demanded that the remaining 29 parcels that have not been set apart be set apart as reserve as soon as possible. There have been 6 parcels set apart as reserve post the arbitration decision. A resolution agreement has not been finalized. The lawyers are working together to finalize the terms of the agreement.

TLEC has met with Canada several times on the agreement and have agreed on costs from 2012 to the end of the arbitration decision. There are trust conditions that are being agreed upon and the funds will be provided to TLEC's legal counsel to hold in trust. TLEC and Canada are working on costs for damages for the 35 parcels. It is anticipated that by the end of June or at the latest September that an agreement will be finalized.

Additional work began regarding the amending of the MFA-TLE based on TLEC's proposal from 2015. Canada has agreed to pay for TLEC's involvement in the discussions for the amendments to the MFA-TLE. The MMF has also been invited to participate in the discussion regarding consultation. Canada will also be funding TLEC's involvement in this process. The meetings continued to be held on a regular basis. The proposed schedule was to have meetings twice a month for the rest of the fiscal year while the assessment of damages continued.

On June 22, 2018 the Chairperson provided a briefing note to the IMC on the role of the IMC and the Chairperson with regard to monitoring the Events of Default, means of resolving the Event of Default, Loss or Damages. To assist the IMC with Monitoring the Portages, Manitoba provided a chart to illustrate the parcels that are available to be set apart as reserve and those parcels that require further resolution of other issues. Since there have been three Arbitrations (Portages, Parks and Events of Default) completed, the Chairperson linked the Portages and the role of the IMC to monitoring of the means of resolution of this Event of Default. The 2016-TLEC-006 referral remains in the negotiation phase regarding the remedy. There is a 30 day timeframe outline within the MFA-TLE, but costs for arbitration have been paid to TLEC. The issue remaining is the calculation of the loss and damages. Canada has yet to pay for costs associated with damages, but has agreed to fund TLEC for costs associated with entering into negotiations regarding amendments to the MFA-TLE. The goal was to transfer the remaining 29 parcels that were submitted in the Arbitration process to reserve by September 2018.

The MFA-TLE also provides a 180 day period of reasonableness in terms of demonstrated effort to resolve the Event of Default. The plan was to have these parcels set apart as reserve by September 18th, 2018. This will show a substantive response to the Arbitration decision.

During the March 12, 2019 IMC meeting the IMC was informed that the negotiations on the remedies to the Event of Default were unsuccessful. As a result TLEC and in connection to TLEC's referral, TLEC has applied for a declaration to have the release in the MFA-TLE set aside.

2.9 REFERRAL – #2018-CANADA-002: REASONABLE MEANS OF REMEDYING EVENTS OF DEFAULT

Referral Date: September 14, 2018.

Canada has formulated the referral in terms of its identification of reasonable means of remedying Events of Default, pursuant to Article 36.03 of the MFA, and the Parties' lack of consensus with respect to the sufficiency and implementation of these identified means. This formulation reflects the intent of Canada's referral, which is to reach a consensus with TLEC as to these identified means, through prompt recourse to the Dispute Resolution provisions of the MFA.

PROGRESS DURING 2018/2019

On September 18, 2018 at the IMC the IMC Members discussed a date to schedule a Special IMC meeting to discuss Canada's e-mail Referral of September 14, 2018, and the process steps in order to resolve the events of default outlined in the Arbitrators decision. The Chairperson made a request to each of the parties (Canada, TLEC & Manitoba) to provide summaries in a briefing style format to address the questions within the referral protocol document:

- a) Propose time periods for Parties to respond to the referred I/M,
- b) Direct any IMC member to submit a report about the I/M and propose solutions to that I/M within time periods identified by the Chairperson,
- c) Identify strengths and weaknesses of all solutions proposed to resolve an I/M,
- e) Propose solutions to an I/M.

The due date for the parties to submit these briefing style summaries to the IMC Chairperson was September 28th.

During the January 10, 2019 IMC meeting it was noted that the IMC held three meetings to date on this referral. The discussions remain ongoing. Canada has agreed to provide an updated version of their referral to the IMC to clarify the focus of the issue that Canada would like to see addressed. Manitoba indicated that they are conducting internal briefings with senior officials on this issue/matter.

The update at the March 12, 2019 IMC meeting was that the last meeting held on this referral was February 20th. The next meeting is scheduled for April 9th. Canada has committed to further revising the wording for their referral to clarify the request to the IMC. The Chairperson began drafting the Adjudicator Facilitation/Mediation terms of reference as well as a revised list of TLEC's twelve point priorities combined with Canada's comments.

As a result of TLEC's submission to Federal Court to request the court to set aside the release to Canada in Section 25.01 Subsection X.01(a) and (b).

2.10 REFERRAL – #2018-NDFN-001: LODGES AND OUTPOST CAMPS

Referral Date: October 19, 2018.

The Northlands Denesuline First Nation (NDFN) referred the issue of the eligibility of their selection around lodges and outcamps to the IMC. The NDFN believe that they have attempted to resolve this issue/matter, but have not been successful in reaching an agreement with Manitoba.

As a result NDFN requested the IMC to address this outstanding issue/matter and made the referral in accordance with MFA-TLE:

3.03(4)(b) in the event that Manitoba and the Entitlement First Nation are unable to agree on the reasonable use area for the tourist lodge or its outcamps or the eligibility of the Selection to be set apart as Reserve in accordance with this Principle, the matter may be referred to the IMC.

PROGRESS DURING 2018-2019:

On December 11, 2018 the Chairperson reviewed the relevant sections within the MFA-TLE, specifically 3.03(4)(a)&(b), (5)(a)&(b) with emphasis on the reasonable use area for the tourist lodges and outcamps that were identified.

The IMC reviewed the Referral protocol and each of the views provided by TLEC and Canada with regard to the solutions being proposed. The IMC also reviewed each of the selections that have been identified within the referral protocol that have lodges and outpost camps within the NDFN selections.

The IMC clarified that the acreage amounts for each of the parcels identified is the acreage of the parcel that has the lodge or outpost camp situated on it. The one specific parcel that required clarification was the Kasmere Lake Parcel A (revised). There are six selections identified within one map, but the portion that has the lodge identified within the selection is approximately 991.97 acres.

It was mentioned that there have been other parcels of NDFN that had Tourist Operation Impacts identified as issues that required resolution. These parcels were referred to as the Maria Lake selections. Manitoba allowed these selections to proceed to POIC stage and have since become reserve as of January 2018. There was a letter from former Deputy Minister of INR Robert Wavey that confirmed resolution of the issues identified within the Maria Lake selections.

The Chairperson was tasked with looking into the details of this situation to determine how it was resolved. This included obtaining copies of the maps that illustrate the location of the lodges and/or outpost camps in relation to the reserve boundary.

It was also noted that the NDFN selections referred to as Kasmere Lake Parcel A and Nahilin Falls have private land within these selections. Under the MFA-TLE the EFN is not entitled to purchase private land for TLE purposes (NDFN is not a Schedule B EFN). As a result, the acreage amount for these private land portions would need to be excluded from the selection going forward.

There was also some discussion about the Licensing Advisory Committee and the process that is involved with issuing the Tourist Operations hunting tags. The distinction needs to be made whether these lodges and outpost camps are strictly for fishing or do they allow hunting as well. What types of tags are these lodges issued? Are they tags for hunting bear, moose or caribou? Is there a specific fish allocation that these lodges are also allocated?

The lodge at Nahilin Falls is a Fishing Lodge, but it is uncertain if they have also been issued hunting tags. The Nahilin Falls lodge is a headquarter lodge and the outpost camps are associated with the main lodge.

There is some question as to why Manitoba would not have consulted the First Nation or the Lodge owner about the area to be defined as the Reasonable Use Area. As was previously noted there have been some parcels that have been set apart as reserve where Tourist Operation Impacts were identified. The rationale for moving forward with the Maria Lake selections as well as the rationale for defining the Reasonable Use Area is not clear at this time. The IMC will be looking at the criteria to understand how the Reasonable Use Area is defined and as well as the criteria for issuing the tags to a lodge owner. This will need to be defined for each site and/or owner of the lodge(s).

It was also mentioned that there have been sacred sites and burial sites identified by the NDFN within close proximity to one of the main lodges. The lodge owner is on record stating that he is aware of the significance of these burial sites.

Manitoba Sustainable Development is responsible for issuing the fishing licenses as well as the hunting tags. Manitoba indicated that they would not alter the fishing license that has been issued to the lodge owner.

TLEC referred to another EFNs selection known as Knee Lake Lodge and that for the Knee Lake Lodge selection the Reasonable Use Area that was identified has now been removed. The Regional survey map has been prepared with conditions, and will be sent out to the Parties upon the completion of the Environmental Site Assessment.

The outpost camps that exist within the NDFN selections have been identified for the purpose of fishing. Further confirmation will be provided by Manitoba to clarify the activities that are permitted at each lodge and outpost camp.

The Chairperson commented that in reviewing the MFA-TLE it is clear that under Subsection 3.03(4)(a) "in the event that the area being used or to be used by the tourist lodge operator is not specified in the land use permit

issued to the tourist lodge operator” that consultation would only be required if the permit does not identify a specific area. However, upon review of the permits it is clear that there is an acreage amount identified for each lodge and outpost camp within the licenses.

On February 21, 2019 Manitoba agreed to provide the IMC with the criteria for the number of tags issued to the lodge owner(s) for their tourist operations. Manitoba also agreed to provide the number of licenses for fishing and hunting issued to the lodge owner(s) prior to January 25th. Manitoba will also provide the criteria for defining a big lake in comparison to a small lake.

The criteria that Manitoba uses to assess the difference between a large lake and a small lake is on a case by case basis. MBSD does not have specific or detailed criteria to define a large lake versus a small lake.

MBSD provided new information regarding the ownership of Nueltin Lake Lodge. It was brought to the attention of the IMC that a new entity owns the Nueltin Lake Lodge. The lodge has gone into receivership which has resulted in the ownership being taken over by a bank.

MBSD indicated that the license to operate the lodge is not provided to the bank and can only be given to an owner of the lodge. MBSD indicated that the lodge license is offered to provide exclusivity to the lodge owner.

MBSD identified the selections that are not eligible and that there is no development based on 3.03(5) of the MFA-TLE. The reason is that the selection would have impact on the lodge and the ability of the lodge owner’s clients to walk in the area. It is also marketed as a “Pristine Wilderness Area” and MBSD believes the selection would impact the marketability of the lodge. MBSD added that an assignment of rights is allowed under the license and the MFA-TLE. MBSD confirmed that they will provide the information regarding the current holding lender for the Nueltin Lake Lodge. MBSD discussed internally who the owner is and will confirm if this information can be shared. It is clear that the lender would also own the lease if they own the lodge.

MBSD will confirm if there was a default in the previous owners Crown Land Lease. If there is no activity being done at the lodge site, then this would be considered an invalid license. As a result of the new information about the lodge owner’s license, additional questions arose regarding the expiry date, term of the license and the terms and conditions of this license.

MBSD referenced 3.03(5) with respect to the existence of lodges that would be in close proximity to selections; however, MBSD was unable to define the term “close proximity”. The lodge located on Kasmere Lake is connected to the Shannon Lake Outcamp. A range in kilometers was not provided with regard to how far the main lodge is in comparison to the Outcamp or other lodges.

The website for Nueltin Lake Lodge was referenced. MBSD indicated that the Pristine Wilderness Area experience is situational and is not included within the lease for the land. MBSD stated that the other developments that might be built there would impact the enjoyment of each site and are determined based on the extent there may be impact to a lodge on a case by case basis. Some of the criteria that would be used to determine this impact would be the size of the lake, services, length of the lake and where the other lodges are situated. The configuration of the lodge and the remoteness and exclusiveness are some criteria that would be considered on a case by case basis.

It was mentioned by NDFN that there are sites of significance that illustrates the use of the areas in the past and the present. MBSD is aware that there are a lot of uses in the area. MBSD weighs the eligibility of these selections based on all of the uses when they consider the eligibility of a selection. MBSD has determined that these selections would be less eligible.

The First Nation has the ability to access these significant sites that are located on Crown Land. An access agreement has not been proposed by Manitoba to the First Nation to allow continued access to these significant sites that are located near the lodges and outpost camps. Manitoba provided a hand out and confirmed that the word “proposed” should not have been included in the document. MBSD uses its discretion in determining if an issue can be resolved with an access agreement.

TLEC questioned how it is known that an access agreement cannot solve the issue if it has not been formally looked at as a proposed solution. This will require further analysis and review of the necessary access requirements of the lodge owner as well as the First Nation. Not only will access be required to and from the lodge, but the First Nation will also required reasonable access to their parcel of land. Manitoba provides protection to significant sites located on Crown Land through the Historic Resources Sensitive Sites program.

Chief Antsanen commented that the main village of his peoples is located where one of the lodges is located. The NDFN selected these lands for this reason in the mid 90's. Chief Antsanen indicated that his relatives are buried near where one of the lodges has been developed. Chief Antsanen indicated that his Dad's Mom is buried near the lodge. Also, his grandfather's daughter is buried at one of the lodge sites.

There is private access to the lodge that could be maintained also an agreement limiting the development near the lodge could be reached that could allow the selections to become eligible. Legally an agreement could be reached between the lodge owner and the First Nation to address access and development to and around the lodge.

The First Nation could propose an access agreement. Manitoba has not addressed this issue. The two Parties could still discuss this option as a way to resolve the issue. It is unclear if there is absolutely no doubt that the lodge is operating as a pristine wilderness experience.

There may still be an opportunity for the First Nation to purchase the lodge. The First Nation did attempt to purchase the lodge during the 2014-2015 time periods. There have been talks about purchasing the lodge as far back as 1999.

It was discussed that Darryl Bone may know the status of the lodge. He is located out of Thompson in the Manitoba Economic Development Department. TLEC asked Manitoba if they would be willing to consider or be interested in an exclusion area where no development would occur around the lodge.

Kasmere Lake Parcel A:

It was confirmed that a lodge is considered to be a lodge that can accommodate 8-10 or more guests. This lodge is located on 10 acres and the selection is 173 acres. The main reason this site has been deemed ineligible is to protect the lodge from development. It was pointed out that there is a difference in the lodges where one has a 1 mile area and the other has a half mile area excluded around the lodge. Further information is required to determine what criteria are relevant in determining this no development zone around the lodge. What is the approximate area around the lodge used by a guest?

MBSD commented that there would need to be "a nice distance around the lodge to have the exclusivity of the lodge remains." It is unclear if this lodge is a "high end lodge". There is no indication that there is a different lodge located in the area. Darryl Headman is the contact from Manitoba Economic Development in Thompson that would be able to provide more information.

Manitoba confirmed that the Resource Tourist Operation License does not include a Commercial Fishing License on the water body that the lodge is located on.

The TLEC Member asked Manitoba if there are trails located on the rocks where the lodge is located. Manitoba was unable to confirm if there are trails located around the lodge and to what extent these trails exist around the lodge.

Manitoba stated that the "absence of development is the factor to determine if there is impact on a tourist operation". Manitoba also indicated that they take into account the "best interest of the public" and believes that this is fair and reasonable.

Burnie Lake

The owner of this lodge is Wayne Gangler. The comment in the document that Manitoba provided will be edited to remove the "The RUA will land lock" the Crown land and creates an "island". The reason this will be removed as it was confirmed that the lodge is accessible by float plane.

Shannon Lake

The questions associated with this selection and the documents provided by Manitoba were specific to what the number of tags are for black bear, moose and caribou at this lodge. There was also some discussion about the distance of the boundary of the lodge in comparison to the edge of the selection. Confirmation is required to determine if this distance is one mile or less. There are concerns that Manitoba has about accessing other allocations which will need to be confirmed with the regional Manitoba Sustainable Development staff.

The IMC also asked the question regarding access and does the public need access to the North?
The IMC proposed some additional questions to Manitoba. The following questions included:

What is the number of moose and black bear that have been successfully hunted by the lodges?
What is the nature of the operation and the area of the operation?
What is the threshold for a selection to be in close proximity to a lodge (i.e. one

selection is 173 acres and another is 77 acres)?

Putahow Lake Site E

This site is an outcamp. The total capacity of this camp is 6, but this does not include staff. This location is a smaller area. The IMC discussed the idea of having an access agreement that would be able to assist with resolving this issue.

Additional points discussed were the included comments from the IMC with regard to the location of the Game Hunting Area known as GH1. Game Hunting is considered a recreational or sport activity. The IMC questioned how the criteria are used to develop, define or create a Game Hunting area. Is it based on the availability of resources? Is it based on the total scope of habitat and other factors in the area?

In order for the IMC to understand more of the process for issuing tags Manitoba agreed to provide the criteria for the number of tags issued to lodge owners for their tourist operations. It was also agreed that the number of licenses for fishing and hunting would also be provided.

3.0 MONITORING AND FACILITATING MFA-TLE IMPLEMENTATION

The IMC Work Plan assigned to the IMC by the Parties directs the IMC to monitor key topics and make recommendations to achieve the targeted results/goals developed for each activity. In particular the IMC has requested that the Chairperson monitor and facilitate the progress of the Parties by Chairing the Three Party Strategic Planning Working Group meetings. Through facilitation of the process the Chairperson is challenging the Parties to continue looking at the strategic aspects of the work plan through a coordinated effort. Included in the Annual Work Plan as with previous Work Plans, are the EFN priority parcels that the First Nations would like to see specific focus on. The purpose of this focus is specific to the resolution of Third Party Interests. The EFNs have also provided priority parcels over the years that have been revised based on development plans for economic generating ventures. The IMC has also added to the list of priorities by including the parcels addressed in the Arbitration hearings on the Crown Reservations-Portages issue and the BPFN Park issue. The decision was rendered in 2014 for the Crow Reservation-Portages referral and in 2016 for the BPFN Park referral. The IMC continues to monitor the implementation of these decisions and provide guidance to moving the files forward.

While the Parties have addressed a number of issues through the Annual Work Plan, the issues relating to the Unsigned EFNs remains an ongoing challenge. There are other specific issues that have been included in the IMC Work Plan for 2018-2019, which are of importance to the IMC and SAC. In particular, the other issues include the Barren Lands First Nation with their Reindeer Lake selections as well as the IMC Chairperson's role in facilitating the Mining Claims Working Group and the Agreed Forms Committee.

3.1 DUTY TO CONSULT

On April 9, 2018 ISC began the year with the following update on the parcels that have progressed through the stages of consultation that were established.

ISC completed consultation with the MMF on the following parcels:

EFN	Parcel	Acres
NHCN	Bolton Lake A (3-01)	134.29
NHCN	Bolton Lake B	230.90
NHCN	Gunisao Lake A	308.63
NHCN	Gunisao Lake B	2396.3
NHCN	Gunisao Lake C	722.15
NHCN	Gunisao Lake D	10.05
NHCN	Little Bolton Lake B	35.34
WLFN	Atkinson Lake C	65.48
WLFN	Atkinson Lake (now Fox Lake) (1-05)	100.01
WLFN	Dafoe River (8-02)	171.99
WLFN	War Lake Amended 2005 P2 (13-02)	285.40

	TOTAL	4,460.54
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The MMF also identified the following parcels being subject to significant historic and continuing Métis use and occupation.

EFN	Parcel	Acres
MCCN	Granville Lake 2B	1,770.33
NHCN	Provincial Road 373A (42-01A)	244.55
NHCN	Provincial Road 373C (42-01C)	1,222.71
NHCN	Provincial Road 373 Parcel Additions (12-02)	832.67
	TOTAL	4,070.26

Consultation remained ongoing for the following parcels:

EFN	Parcel	Acres
BLFN	Paskwachi Bay (3PR) PR394	95
MCCN	Pawistik Falls (14)	838.74
NHCN	Nelson River east Channel A (33-01A)	3,596
NHCN	Painted Stone Portage North Shore (11-02)	399.66
NHCN	Max Lake (25-01)	1,425.81
NHCN	Max Lake South Shore (8-02)	1,451.82
WLFN	Atkinson Lake A (2-02)	1,431.23
WLFN	Atkinson Lake B (3-02)	768.74
WLFN	Moose Nose Lake (10-02)	34.60
WLFN	Cyril Lake (7-02)	407.20
WSFN	Bell Lake (2-02)	201.89
WSFN	Kettle Hills Addition (1-01)	736.79
WSFN	North Kettle Hills (4-02)	2,652.18
WSFN	Bell River PTH 10 Addition (3-01)	3,575.31
	TOTAL	17,614.97

The timelines for all of the parcels are the same. The MMF or Aboriginal Group is given 60 or 90 days to respond with any concerns on a particular parcel. The Special Claims Unit is primarily responsible for tracking the consultation process and engaging with the MMF or Aboriginal Group on the concerns raised, if any.

The Parties discussed the twelve point plan that TLEC provided to ISC and how these points may be included within the discussion regarding amending the MFA-TLE. All Parties were engaged in these discussions from the beginning.

The update from ISC on the Consultation Process provided on May 16, 2018 was that there have been little changes from the previous month. York Factory First Nation requested more information from ISC regarding the eight War Lake First Nation parcels. ISC confirmed that they would provide more details about the progression of this consultation process if the Chairperson requests more information.

The Chairperson indicated that it is important to have more detail in order to understand the next set of parcels that are entering the consultation process for planning purposes. There is also a need to understand the acquisition and selection timelines for these parcels of land to work through the consultation process.

ISC indicated that they previously worked from a 70KM radius from the selection in order to provide notifications to Aboriginal Groups, but it was found not to be an accurate or viable representation of groups that may have a potential interest. Historical research is also now being applied to the process. For example, members from York Factory First Nation used the area around War Lake First Nation in the past and may be using the lands today. Canada is “deemed to know” information in relation to the historical use and current use of the lands, which

translates into Canada needing to become fully aware of the current uses as well as the past uses of the lands being selected for TLE.

During the June 22, 2018 IMC meeting the IMC discussed the draft tracking chart provided by ISC and how to include the parcels of land that have not yet been sent for consultation. The key items that the IMC discussed included tracking, when consultation was initiated or when the letter was sent to the Aboriginal group, when was a response received, and how long has the remediation process taken. The main purpose in tracking the steps is to determine how far along each parcel has advanced in the consultation process and what are the timelines associated with each step in the process. Two additional columns could be added to include the initial letter date and the initial response date. These dates could also be inserted within FN-DTC and MMF-DTC by having each column split to accommodate the tracking of these dates.

The September 18, 2018 IMC discussion of the 35 parcels that were in the consultation process focussed on 5 parcels that were identified as having issues raised by the MMF or another First Nation. There were 4 TLE selections of WSN that the MMF indicated an interest in. There was 1 NHCN parcel that was referred to as Painted Stone Portage that the Cross Lake Band had indicated overlaps their trapping area. It is about 15 acres that is believed to be in their Cross Lake's registered trap line area (RTLA). It is illustrated on a 1:250,000 topographic map. Of the parcels that are in arbitration, Manitoba passed 9 OIC, but had to hold off on signing the OIC for a NHCN parcel known as Lebrix Lake as a result of an unresolved TPI being located on this parcel. The Federal Minister signed the Ministerial Orders, creating reserves for 1 Barren Lands First Nations parcel known as Paskwachi Bay and 4 NHCN parcels as well as 8 WLFN parcels. TLEC raised a concern with regard to the exact acreage that is being provided to headquarters when updates are being made. There is a discrepancy between the MBOIC and the acres that Canada is using in the charts being sent to Ottawa to update them on the amounts being set apart as reserve. The Chairperson looked at the 5 parcels to see how the acreage matches up with the OIC acreage and the acreage in the Work Plan charts. Manitoba signed off on 7 OIC, but 4 had to be sent back as a result of additional questions. Manitoba worked on the OIC for Granville Lake which requires an ESA acceptance BCR and an update on the status of the ESA for Pawistik Falls was also needed. There was a total of 10-15 parcels scheduled for consultation that belong to NHCN and NDFN identified within Schedule A of the All Party Work Plan.

There were twelve parcels that ISC closed consultation on. These parcels included six parcels for NHCN and six parcels for NDFN and one for RRFN.

EFN	Parcel	Acreage
NHCN	Butterfly Lake B (5-01B)	115.89
NHCN	Opiminegoka Lake (35-01)	702.83
NHCN	Logan Lake North Shore (7-02)	625.84
NHCN	Logan Lake A (23-01A)	4,636.00
NHCN	Logan Lake B (23-01B)	497.00
NHCN	Hayes River Ridge B (15-01B)	180.58
NDFN	Putahow Lake Site A (15-04A)	1,726.52
NDFN	Putahow Lake Site B (15-04B)	1,159.55
NDFN	Putahow Lake Site C (15-04C)	468.34
NDFN	Putahow Lake Site D (15-04D)	479.42
NDFN	Putahow Lake Site F (15-04F)	1,992.28
NDFN	Thlewiaza Lake (22-04)	1,488.61
RRFN	Lot 1 Plan 21180 WLTO in RL 87&88 Parish of St, Charles (Former Dairy King)	77.51
TOTAL		14,072.86

The steps remaining for the parcels listed above is for NRCan to register the parcels in the Canada Lands Registry System prior to moving to Schedule A of the All Party Work Plan. These 17 parcels in addition to the 4 parcels in Schedule B (1 MCCN, 3 WSN - Acquisitions) with completed consultation represent 21 out of the 42 parcels identified within Schedule B of the All Party Work Plan. The next set of Schedule B parcels will be focused on in the second quarter which will likely include a large set of Wuskwi Sipiik First Nation parcels, however, Approval in Principles will need to be completed in the first quarter. Other Schedule B parcels including Norway House Cree Nation's are at various stages of survey progress. A letter initiating consultation will also be sent for the SCN parcel known as Pelican Rapids Phase 3.

The IMC discussed the Pilot project on consultation that was originally started and what the results were of this Pilot Project. This Pilot Project involved thirty plus parcels that completed the consultation process during the 2016/2017 fiscal year. Canada was requested to provide the process steps that are now being implemented through the consultation process. Specifically, which parcels are being requested for a 60 day response time and which parcels are being requested for a 45 day response time.

This information will assist the IMC with clarity on the EFN parcels as the IMC monitors the progress of the consultation process. This will also assist with understanding the latitude that the MMF may require to review certain parcels and the expectations of the MMF in receiving adequate time to review these parcels. It is important to know where the flexibility is provided within the process at the same time as gaining an understanding as to the reasonableness and a balancing of the issues is being done.

This information will also provide the IMC with an understanding of the process and the number of parcels that can be addressed through the consultation process in a year. For example, if there are 12 parcels per quarter then ideally 48 parcels should be facilitated through the consultation process. If this is not achievable then the IMC can assess the process and provide suggestions on the process.

When the IMC met on March 12, 2019 there were thirteen parcels that ISC identified where consultation was closed. These parcels included six parcels for NHCN, six parcels for NDFN and one for RRFN.

EFN	Parcel	Acres
NHCN	Butterfly Lake B (5-01B)	115.89
NHCN	Opiminegoka Lake (35-01)	702.83
NHCN	Logan Lake North Shore (7-02)	625.84
NHCN	Logan Lake A (23-01A)	4,636.00
NHCN	Logan Lake B (23-01B)	497.00
NHCN	Hayes River Ridge B(15-01B)	180.58
NDFN	Putahow Lake Site A (15-04A)	1,726.52
NDFN	Putahow Lake Site B (15-04B)	1,159.55
NDFN	Putahow Lake Site C (15-04C)	468.34
NDFN	Putahow Lake Site D (15-04D)	479.42
NDFN	Putahow Lake Site F (15-04F)	1,992.28
NDFN	Thlewiaza Lake (22-04)	1,488.61
RRFN	Lot 1 Plan 21180 WLTO in RL 87 and 88 Parish of St. Charles (Former Dairy King Property) (acquisition)	77.51
TOTAL		14,150.37

Consultation began for twelve of the Rolling River First Nation parcels as of March 8, 2019. The Aboriginal Groups and the MMF were given sixty days or until May 7, 2019 to respond with any comments or concerns that they may have regarding these proposed reserve creations.

EFN	Parcel	Acres
RRFN	Site 1-11 - SE 1/4 27-16-19 WPM (Former Strand) (Acquisition)	160.00
RRFN	Site 2-11 - NE 1/4 27-16-19 WPM (Former Strand) (Acquisition)	160.00
RRFN	Site 3-11 - NW 1/4 27-16-19 WPM (Former Strand) (Acquisition)	160.00
RRFN	Site 4-11 - NE 1/4 28-16-19 WPM (Former Strand) (Acquisition)	160.00
RRFN	Site 5-11 - NW 1/4 28-16-19 (Former Strand) (Acquisition)	160.00
RRFN	Site 6-11 - N 1/2 of the SW 1/4 28-16-19 WPM (Former Strand) (Acquisition)	160.00
RRFN	Site 7-11 - N 1/2 of NW 1/4 of 20-16-19 WPM (Former Strand) (Acquisition)	80.00

RRFN	Site 8-11 - SW 1/4 35-16-19 WPM (Former Strand) (Acquisition)	160.00
RRFN	Site 3 - SW 1/4 20-17-18 WPM Former Ronald Hill (Acquisition)	163.00
RRFN	Site 4 - SW 1/4 19-17-18 Former Ronald Hill (Acquisition)	154.00
RRFN	Site 12-01 NW 1/4 26-16-19 WPM Former Manns (Acquisition)	156.25
RRFN	Site 5-01 NE 1/4 26-16-19 WPM Former Cameron (Acquisition)	157.92
	TOTAL	1,831.17

The first quarter of 2019/20 will include the next set of parcels that Canada will begin consultation on for parcels located within Schedule B of the All Party Work Plan. The focus will be on those parcels within Schedule B that are most likely to move into Schedule A. The next set of seventeen parcels will include:

EFN	Parcel	Acres
BCN	Trout Falls (15-02)	619.60
NCN	Driftwood Rapids to Grindstone Rapids (4-01)	1,028.35
NCN	Driftwood Rapids to Grindstone Rapids Addition (3-06)	80.04
NCN	Wuskwatim Brook (23-01)	367.03
NCN	Wuskwatim Lake South (26-01)	998.01
NDFN	Fort Hall (6-04)	689.09
NDFN	Kasmere Lake Parcel B (8-04B)	1,332.44
NDFN	Maria Lake C (11-04C)	624.12
NDFN	Maria Lake E (11-04E)	690.77
NDFN	Northlands Misty Lake (13-04)	964.21
NDFN	North Arm (14-04)	181.24
NDFN	Seman River (16-04)	256.82
NDFN	Northlands Snyder Lake B (18-04B)	598.19
NDFN	Snyder Lake C (18-04C)	887.70
NDFN	Snyder Lake D (18-04D)	852.26
NDFN	Tice Lake (24-04)	1,599.24
WLFN	North of Ilford (Amended) (11-02)	6.52
	Total	11,775.63

3.2 THREE PARTY STRATEGIC PLANNING

The Chairperson facilitated the Parties in developing a annual Work Plan for 2018-2019 which was finalized by the Parties on May 10, 2019 and distributed to all Parties and EFNs.

This is the seventh year that the Parties have been engaged in the Three Party Strategic Planning process. The process has been facilitated and monitored by the IMC Chairperson in order to assist each Party with implementing their responsibilities under the MFA-TLE. The total amount of acres identified in the Work Plan was 254,985.26 acres. Coordination and communication is essential to implementing any multi-party agreement. The same can be said for work required to implement the MFA-TLE. The MFA-TLE not only requires coordination amongst the three Parties, but the 15 Entitlement First Nations as well. Clear communication is critical to navigating through a multi-step process involving hundreds of parcels of land. The key objectives of the Strategic Planning initiative are to reach consensus on an All Party Work Plan each fiscal year and share it with the EFNs so that the EFNs can understand and anticipate the timeframes for each step in the process. A coordinated approach assists with focusing the efforts of the EFNs with those of the Parties to resolve issues on parcels of land anticipated to be set apart as reserve.

Manitoba confirmed that 10 parcels or 14,409.18 acres of land were in the Provincial Order in Council (POIC) approval stage at the end of the 2018-2019 fiscal year. Manitoba passed POICs for five of the War Lake First Nation parcels on (June 21, 2017) and one of the Mathias Colomb Cree Nation parcels on (July 12, 2017). These parcels have not been set apart as reserve within this fiscal year. These parcels are:

EFN	Parcel	Acres
MCCN	Pawistik Falls	814.63
WLFN	Moose Nose Lake	34.59
WLFN	Atkinson Lake (now Fox Lake)	100.08
WLFN	War Lake Amended	811.74
WLFN	Cyril Lake	407.23
WLFN	Dafoe River	171.99
TOTAL		2,340.26

There are an additional six parcel with POICs that were passed within the 2016-2017 fiscal year that have not been set apart as reserve. These parcels are:

EFN	Parcel	Acres
BLFN	Paskwachi Bay (3PR) PR 394	80.56
OCN	Atik Lake (2-03)	1,141.63
WLFN	Atkinson Lake A (2-02)	1,431.70
WLFN	Atkinson Lake B (3-02)	768.70
WLFN	Atkinson Lake C (4-02)	65.50
WSFN	Bell River/PTH 10 Addition	3,575.31
TOTAL		7,063.40

There were four parcels where Provincial Order in Councils were approved prior to May 2, 2016 and are not yet set apart as reserve. These parcels are:

EFN	Parcel	Acres
NHCN	Nelson River East Channel A	3,596.00
WSFN	Bell Lake	201.89
WSFN	Kettle Hills Addition	736.79
WSFN	North Kettle Hills	2,652.18
TOTAL		7,186.86

The GRAND TOTAL of 16,590.52 acres represents the amount of acres where POIC were granted, but have not been set apart as reserve within the 2018-2019 fiscal year.

At the end of the fiscal year the Strategic Planning Working Group comprised of the Three Parties confirmed the **2018-2019 Three Party Annual Work Plan Results - Appendix E**. The following are numbers of the results in comparing the May 25, 2018 Annual Year Work Plan and the April 6, 2019 year end Work Plan:

Schedules	April 6 Acres	Parcels	May 10 Acres	Parcels
A	88,125.78	108	50,243.88	51
B	27,960.99	46	36,916.10	49
C	39,977.63	53	15,586.73	39
D	90,364.50	87	44,803.36	57
E	52,247.58	65	107,435.19	111
TOTAL	298,676.48	359	254,985.26	307

The following numbers illustrate the difference in both Schedules which indicates the movement of acres from each Schedule as parcels are set apart as reserve at the end of the fiscal year.

There were fewer acres from Schedule A on April 6, 2018 to May 10, 2019 with a difference of **37,881.90** acres;
The acres increased from Schedule B on April 6, 2018 to May 10, 2019 with a difference of **8,955.11** acres;
The were fewer acres from Schedule C on April 6, 2018 to May 10, 2019 with a difference of **24,390.90** acres;
There were fewer acres on Schedule D from April 6, 2018 to May 10, 2019 with a difference of **45,561.14.28** acres;
The acres increased from Schedule E from April 6, 2018 to May 10, 2019 with a difference of **55,187.61** acres.

There were 11,869.71 acres set apart as reserve within the 2018-2019 fiscal year which equals 23 parcels.

The planning process begins with an annual Three Party assessment of the land transfer steps that can be completed during the fiscal year for each parcel. If it is determined by the Parties that a particular parcel can meet the dates for transfer during the fiscal year, it is listed on Schedule A of the Work Plan. If the remaining steps will take approximately two years to complete the parcel remains on Schedule B, and if the remaining steps will take approximately three years to complete it is included on Schedule C. For some time the Parties have recognized that the degree of effort and administrative overhead required to transfer small parcels of land is comparable to that required to transfer large parcels of land, and with the largest parcels now transferred, the Parties recognize that it would be difficult to maintain the rate of implementation moving forward.

Parcels in Schedule A are anticipated to be set apart as reserve within the fiscal year that they have been placed into this schedule. The following steps are to be completed during the fiscal year to facilitate reserve creation.

- Signing of the Provincial Order in Council;
- Completion of Crown Consultation with Aboriginal Groups;
- Signing of the Ministerial Order.

Parcels in Schedule B are identified to have the following steps that must be completed in order to progress to Schedule A.

- All Provincial and Federal survey process steps outlined in the Land Transfer and Reserve Creation Process Manual;
- All necessary BCR's signed by the Entitlement First Nation;
- Approval in Principle granted by Canada;
- A Crown Land Systems Registry Number issued.

Parcels in Schedule C are identified to have the following steps that must be completed in order to progress to Schedule B.

- A Regional Surveyor Map signed by all parties;
- A Municipal Development Services Agreement signed resolving service delivery, if required.

Parcels in Schedule D are identified to have the following steps that must be completed in order to progress to Schedule C.

- A completed Environmental Site Assessment done by Canada;
- All Third Party Interests and Encumbrances have been identified;
- Issues that have been referred to the IMC have been resolved.

Parcels in Schedule E are identified to have the following steps that must be completed in order to progress to Schedule D.

- Long standing issues in dispute between Parties must be resolved (Hydro Easement, IMC referrals, SaskPower);
- The circulation of the parcel through the Provincial Departments has been completed.

PROGRESS DURING 2018/2019

The IMC Chairperson facilitated eight Three Party Strategic Planning meetings throughout the fiscal year. The meetings identified the importance of coordination and regular communication necessary for self-monitoring of the Three Party Strategic Planning process. The IMC discussed the importance of the Strategic Planning process as a positive support to implementing the IMC Work Plan over the years since this planning process was implemented.

It is recommended to SAC and the IMC that the Strategic Planning and Annual Work Plan continue with the Parties finding a solution to work load sharing, and that the Parties target April for the release of each fiscal year's Annual Work Plan.

The IMC and all Parties believe the Annual Work Plan results should be shared with the EFNs at the end of the fiscal year and target the release of the results of the Annual Work Plan and subsequent Annual Work Plans is June of each year.

2018-2019 Parcels Set Apart as Reserve					
EFN	Parcel Name	Reserve Name	FMO#	Par cels	Acres
BLFN	Paskwachi Bay (3PR) PR 394	Barren Lands Indian Reserve	2018-031	1	80.56
NHCN	Gunisao Lake A (13-01A)	Norway House Cree Nation Mini Ministik Indian Reserve	2018-030	1	295.54
NHCN	Gunisao Lake C (13-01C)	Norway House Cree Nation Gunisao Sipiik Keewatinohk Indian Reserve	2018-036	1	808.03
NHN	Gunisao Lake B (13-01B)	Norway House Cree Nation Gunisao Sipiik Sawanohk Indian Reserve	2018-037	1	2,367.27
NHCN	Gunisao Lake D (13-01D)	Norway House Cree Nation Gunisao Sipiik Sakitow Indian Reserve	2018-040	1	10.13
NHCN	Hairy Lake	Hairy Lake Indian Reserve	2018-49	1	113.32
NHCN	Bolton Lake A	Amiskotokan Indian Reserve	2018-52	1	128.49
NHCN	Little Bolton Lake B	Okowi Sikuhigan Indian Reserve	2018-48	1	25.70
NHCN	Bolton Lake B	Moosa Otinihk Indian Reserve	2018-51	1	234.01
NHCN	Painted Stone Portage North Shore	Hart Indian Reserve	2018-47	1	389.44
NHCN	Provincial Road 373 A	Otahawkanihk Landing Indian Reserve	2018-46	1	201.64
NHCN	Provincial Road 373 C	Asihkwinanihk Indian Reserve	2018-45	1	800.19
NHCN	Provincial Road 373 Parcel C Addition	Asihkwinanihk Indian Reserve	2018-45	1	1,209.76
NHCN	Max Lake	Minahigok Sakahigan Indian Reserve	2018-50	1	1,413.89
SCN	SP Lot 16 Plan 3211 DLTO (703 Main St. Swan River) acquisition	Sapotaweyak Cree Nation (SCN) Swan River Lot 2 Indian Reserve	2018-019	1	0.21
WLFN	Atkinson Lake C (4-02)	Atkinson Lake C Indian Reserve	2018-026	1	65.50
WLFN	Atkinson Lake B (3-02)	Atkinson Lake B Indian Reserve	2018-027	1	768.70
WLFN	Atkinson Lake A (2-02)	Atkinson Lake A Indian Reserve	2018-028	1	1,431.70
WLFN	Dafoe River (8-02)	Dafoe River Indian Reserve	2018-029	1	171.99
WLFN	Atkinson Lake (now Fox Lake) (1-05)	Atkinson Lake Indian Reserve	2018-032	1	100.08
WLFN	War Lake amended 2005 (13-02)	War Lake A Indian Reserve and Part War Lake B Indian Reserve	2018-033 & 034	1	811.74
WLFN	Cyril Lake (7-02)	Cyril Lake Indian Reserve	2018-035	1	407.23
WLFN	Moose Nose Lake (10-02)	Beach Lake Indian Reserve	2018-038	1	34.59

The total land set apart as reserve for these four First Nations is: **11,869.71 acres**.
The total of **23** parcels consisted of **22 selections** and **1 acquisition parcel**.

3.3 EFN PRIORITY PARCELS

Over the past few years, TLEC has annually submitted listings to Canada and Manitoba identifying the selections and acquisitions deemed by the EFNs to be their Priority Parcels. The 2018/2019 Annual Work Plan illustrates 107 priority parcels that have been chosen by the EFNs that are comprised of selections and acquisitions. The primary reason these parcels were chosen is to focus on the resolution of the Third Party Interests and Encumbrances. Once these parcels are free and clear of TPIs and Encumbrances the parcels can progress through each of the Schedule within the Annual Work Plan. It is anticipated that in each fiscal year that these priority parcels will feed into one of the Schedules A, B or C to allow for survey work to be completed on these parcels.

PROGRESS DURING 2018/2019

The Three Parties confirm which of the milestone goals will be set each year and which steps were completed by the year-end, and which parcels will need to be carried forward on the next Annual Work Plan. The following milestone targets for priority parcels were set and the achievements monitored as follows.

The main issues delaying the advancement of the Priority Parcels is the unresolved TPIs, encumbrances and concluding Municipal Development and Services Agreements (MDSAs) with municipalities.

The Parties have positioned the priority parcels that require the resolution of TPIs on Schedules C, D & E as there are required steps that need to be completed in the TLE Land Transfer and Reserve Creation Process. In the 2018/2019 Work Plan the priority parcels were distributed as follows:

- 6 on Schedule “A”, and targeted to be set apart as reserve by March 31, 2019.
- 14 on Schedule “B”, and targeted to be set apart as reserve by March 31, 2020.
- 16 are on Schedule “C”, and targeted to be set apart as reserve by March 31, 2021.
- 23 are on Schedule “D”, (no associated time frame for reserve creation).
- 48 are on Schedule “E”, (no associated time frame for reserve creation).

In summary, while the EFNs consider these parcels as their priorities, they are encumbered with TPIs and encumbrances, and some require municipal discussions and possibly MDSAs. Accordingly, the majority were unable to be set apart as reserve status before the end of the 2018-2019 fiscal year. In terms of interim achievements, it is clear from the above assessment more progress is needed with respect to advancing the EFN priority parcels during the upcoming fiscal year. A strategic focus to address the resolution of these matters will assist the progress of the priority parcels through the land transfer process.

3.4 SURVEYS

The following charts illustrate the status of surveys at the end of March 31, 2019. The charts place the parcels into the following categories:

- Parcels that are at the stage of requiring boundary inspections,
- Parcels that are at the Regional Surveyor Mapping Planning and Preparation stage,
- Potential Surveys for the fiscal year,
- Parcels that have pending Survey Contracts to be tendered, S
- Survey contracts that have been tendered,
- Surveys that have additional post related survey steps to be completed.

There are also parcels placed in the category where a final legal description is being prepared for inclusion into the request for the Provincial Order in Council.

The process of coordination for Regional Surveyor Maps (RSMs) involves NRCan, which drafts the maps for signature by all three parties. Currently, there is a low number of RSMs. A concerted effort by all parties to ensure that there is an adequate amount of parcels with RSMs signed should be the focus going forward.

The mount of dollars expended for this fiscal year is about \$800,000 for the parcels that were surveyed within this fiscal year. The total amount of funds available for surveys is approximately \$1 Million annually.

There will be specific discussion on the Regional Surveyor Maps (RSM) that need to be signed and how this process is completed. This list can be prepared and ready for next year's group of surveys in 2018-2019. This discussion will require technical people from NRCan and Manitoba Sustainable Development to assist with generating the list of RSMs to be signed.

There was a large parcel for Norway House Cree Nation that was initially estimated to cost about \$1.5 Million to have surveyed, but after the tendering process was changed with Public Works and Government Services managing the process. ISC has seen the estimates drop in price per acre. However, despite this decrease in cost for the survey of this parcel it was unable to be completed within the fiscal year due to a forest fire in the previous year which contributed to health and safety concerns. ISC will provide the list of surveys that are remaining as well as the list of parcels that require Regional Surveyor Maps to the IMC on an ongoing basis.

The new ISC tendering process has facilitated the prices being more cost efficient allowing for more surveys to be tendered. The concern in the past was more surveyors were needed to fulfill the amount of surveys required to complete. There has also been the issue of needing more survey dollars to complete the surveys. These issues continue to pose a problem when there are surveys being carried over from each fiscal year.

PROGRESS DURING 2018-2019

The following charts are an overview of the status of surveys that are currently being surveyed as well as the number of parcels that were proposed for surveys in the 2018-2019 fiscal year.

Surveys Tendered:

EFN	Parcel	Acres
NHCN	Gunisao River	4,503.95
WSFN	Former Kirkpatrick Property (7-10)	144.96
WSFN	Former Kirkpatrick Property (8-10)	160.00
WSFN	Former Koutecky Property (9-10)	143.09
TOTAL		4,952.00

RSMs Ready for Signature:

EFN	Parcel	Acres
BCN	Wipanipanis Portage	326.79
BCN	Knee Lake Lodge	1,511.09
GLFN	Little Stull Lake	8,421.12
GLFN	East End of God's Lake	195.81
MSCN	Neekwaskan Lake 15.1	15.50
MSCN	Nekwaskan Lake 15.3	30.27
MSCN	Pine Rapids	76.49
MCCN	Mile 99*	391.83
MCCN	Kipahigan Lake	502.69
NHCN	Hayes River Ridge A	2,236.08
NHCN	Painted Stone Portage B	64.34
RRFN	Stuart Lake	8
RRFN	Ronald Hill 3	163.00
RRFN	Ronald Hill 4	154.00
SCN	The Bluff	1,922.20
SCN	Red Deer Lake	1,815.01
WSFN	Crown Land Parcel (6-99B12)	446.00
WSFN	Red Deer River South	1,512.00
WSFN	Nichols Selection	382.00

WSFN	Porcupine Ridge	644.00
WSFN	Bell River North	1,955.27
WSFN	Red Deer River North Site 5-01	1,160.50
NHCN	Nelson River East Channel Additions	915.83
	TOTAL	24,841.62

2018-2019 Potential Surveys

EFN	Selection	Acres
GLFN	East End of God's Lake	195.81
NDFN	Snyder Lake Parcel D	598
NHCN	Bolton Lake C	494.79
NHCN	Costes Lake A	21.04
	TOTAL	1,505.45

Boundary Inspections

EFN	Selection	Acres
BON	360 Broadway & 362	.5
BON	East St. Paul Sites: 1-11, 2-11, 3-11, 5-11, 6-11, 7-11, 8-11, 9-11	323
BON	East St. Paul properties Site 4-11	155
RRFN	Strand Properties all 8	1120
RRFN	Headingley (Dairy King)	72
OCN	Thompson Parcel	1.47
WSFN	Former Mckay Site 5-10	7
WSFN	Former Mckay- Site 4-10	17
WSFN	Lot 1 Plan 54719 - Swan River Property	1
	TOTAL	1,696.97

RSM Planning and Preparation

EFN	Selection	Acres
BCN	Wipanipanis Portage	326.79
BCN	Knee Lake Lodge	1511.09
GLFN	Little Stull Lake	8421.12
GLFN	East End of God's Lake	195.81
MSCN	Neekwaskan Lake 15.1	125.53
MSCN	Neekwaskan Lake 15.3	28.39
MSCN	Pine Rapids (amended)	76.49
MCCN	Mile 99*	391.83
MCCN	Kipahigan Lake	502.69
NDFN	Snyder Lake Parcel D (amended)	1054.00
	TOTAL	12,633.74

Update as of March 12, 2019

Title Searches

EFN	Acquisitions	Acres
RRFN	1-11-19W (Brownridge Farms 1-09)	534.23
WSFN	Town of Swan River 1-14	1
WSFN	Town of The Pas	1

RRFN	Strand Sites 1-11, 2-11, 3-11, 4-11, 7-11, 8-11	640
RRFN	Cameron Site 5-01	157.92
	TOTAL	1,334.15

Required Boundary Inspections

EFN	Acquisitions	Acres
RRFN	Strand Properties all 8	1120
RRFN	Cameron Site 5-01	157.92
RRFN	Manns Site 12-01	156.25
WSFN	Former Mckay Site 5-10	7
WSFN	Former Mckay Site 4-10	17
BON	360 Broadway	0.5
BON	Broadway Parking Lot	.5
	TOTAL	1,459.17

RSM Planning and Preparation

EFN	Selection	Acres
MSCN	Johnson Bay	512.38
MCCN	Mile 99*	391.83
MCCN	Kipahigan Lake	502.69
RRFN	Stuart Lake	8
SCN	The Bluff	1,922.20
SCN	Red Deer Lake	1,815.01
WSFN	Crown land parcel (6-99B9)	155
WSFN	Red Deer River South	1,512.00
WSFN	Nichols	382.00
WSFN	Porcupine Ridge	644.00
WSFN	Bell River North	1,955.27
WSFN	Red Deer River North - Site 5-01	1,160.50
BCN	Knee Lake Lodge	1,511.09
NHCN	Ponask Portage	10
SCN	Pelican Rapids - Phase 2	5281.93
OCN	Cemetery Lake - Phase 1	1,116.00
	TOTAL	18,879.9

Survey Contracts in Progress

EFN	Selection	Acres
BCN	Wipanipanis Portage	326.79
GLFN	Little Stull Lake (amended)	818.33
GLFN	East End of God's Lake	195.81
MSCN	Neekwaskan Lake Site 1	125.53
MSCN	Neekwaskan Lake Site 3	28.39
NHCN	Gunisao River	4503.95
NDFN	Snyder Lake D	1054.00
RRFN	Ronald Hill Site 3 and Site 4	317.00
	TOTAL	7,369.8

Pending Survey Contracts 2018-2019

EFN	Selection	Acres
NHCN	Bolton Lake C	494.79
NHCN	Costes Lake A	21.04
NHCN	Hayes River Ridge A	2,236.08
NHCN	Painted Stone Portage B	64.34
NHCN	Nelson River East Channel Additions	915.83
	TOTAL	3,732.08

Potential Surveys 2019-2020

EFN	Selection	Acres
BON	Sites: 1-11, 2-11, 3-11, 5-11, 6-11, 7-11, 8-11, 9-11	323
BON	Site 4-11	155
NHCN	Ponask Portage	10
RRFN	Stuart Lake	8
SCN	Red Deer Lake amended	1815.01
	TOTAL	2,311.01

Post Survey Related Steps

EFN	Parcel	Acres
BON	Parcel 1-01A 1-01B (Lac du Bonnet)	966.00
BCN	Trout Falls	619.60
GLFN	Elk Island	11,499.70
MSCN	Pine Rapids	76.49
MSCN	Jowsey Island	11.97
MSCN	Elk Island17.1	15.50
MSCN	Elk Island17.2	17.18
MSCN	Elk Island 17.6	22.68
NCN	Dirftwood to Grindstone (& Addition)	109.39
NCN	Wuskwatim Lake South	998.01
NCN	Wuskwatim Brook	367.03
NDFN	Kasmere Lake Parcel B	1,332.44
NDFN	Fort Hall	689.09
NDFN	Misty Lake	964.21
NDFN	North Arm	181.24
NDFN	Tice Lake	1,599.24
NDFN	Maria Lake C	624.12
NDFN	Maria Lake E	690.77
NDFN	Snyder Lake B	598.00
NDFN	Snyder Lake C	885.00
NDFN	Seman River	256.82
OCN	Barrier Settlement - Selection and Acquisition	147.52
WLFN	North of Ilford (Amended)	6.52
WSFN	DT Lagace Property	160.00
WSFN	Palomonden Property (All 30-41-24)	640.00
WSFN	6-99B6	157.00
WSFN	6-99B10	159.00
WSFN	6-99B12	446.00
WSFN	Burwash Property (N1/2 36-40-25) site	314.00

	1-10	
WSFN	Burwash Property (W1/2 of NW 1/4 30-40-24) site 2-10	78.48
WSFN	Burwash Property (SW1/4 36-40-25) site 3-10	150.63
WSFN	McGregor Property (NE 1/4 25-40-25) site 6-10	155.22
WSFN	Watson Property (NW 8-41-24) site 1	160.00
WSFN	6-99B2	624.00
WSFN	6-99B5	312.00
WSFN	Lot 14 Block 29 Plan 426, The Pas Property	1.00
	TOTAL	26,035.85

Preparation of Legal Description Progress

EFN	Acquisition	Acres
SCN	Billow's Gas Bar (Mafeking)	1.55
RRFN	Cameron 5-01	157.92
	TOTAL	159.47

3.5 IMC POLICY AND PROCEDURES REVIEW

The IMC began a review of the IMC Policies and Procedures Manual on April 9, 2018 in order to address the situation where an Adjudicator has issued an award. The IMC discussed how the party responsible for implementing the award handed down by the Adjudicator should be addressed in a timely manner. The IMC agreed that the Chairperson would send the draft wording to the IMC PP Manual for further review and confirmation of the revision for inclusion into the final manual.

The Chairperson presented the following draft wording for the IMC Policies and Procedures manual on April 9th.

MONITORING FOLLOWING AN AWARD OF AN ADJUDICATOR

The IMC will determine if the steps taken by a party as directed by the Award from the Arbitrator have been reasonable and have been completed within a reasonable amount of time. The particular section of the MFA that provides greater detail into the role of the IMC is: 27.03(3): Suspension of Release in Favor of Manitoba as well as X.05(3): Suspension of Release.

FOLLOW-UP ON REFERRAL COMMUNICATION

Communication

When an award has been issued by an Adjudicator, the IMC is responsible for monitoring the steps taken to remedy the Event of Default. The decision of the Adjudicator will be posted on the IMC website, unless any of the parties expressly state they do not wish the decision to be made publicly available. The IMC Chairperson will confirm the wishes of the Parties in making the decision to make the award public.

Appeals

Should an Adjudicator's decision be appealed, the IMC will communicate updates by posting a link to the relevant appeal court on the IMC website.

The Chairperson also provided the IMC with the following briefing in order to assist the IMC with addressing the issue within the IMC Policies and Procedures Manual.

FINAL - BRIEFING NOTE to the Implementation Monitoring Committee (IMC)

IMC Chairperson Role in Monitoring Issues and Matters in Dispute and Events of Default

ISSUE:

The IMC has now received three decisions as a result of issues being forwarded to Binding Arbitration. The role of the IMC and the Chairperson does not conclude with the issuance of this decision.

BACKGROUND:

The three issues that have been sent to binding arbitration include: the Portage or Crown Reservations issue forwarded to the IMC by TLEC against Manitoba; the second was the BPFN issue with regard to selections of Provincial Parks against Manitoba; and the third issue is the one forwarded to the IMC by TLEC against Canada with regard to a Material Failure.

There was a fourth issue that was sent to binding arbitration, but it did not proceed to a hearing as a result of the Bunibonibee Cree Nation withdrawing their allegation against Manitoba and Manitoba subsequently closed their referral.

CURRENT:

Since the three referrals that have received decisions as a result of Binding Arbitration, the IMC Chairperson has reviewed the TLE-MFA under Section 35.08 which indicates that the IMC Chairperson:

- (1) The Chairperson will maintain a record of all issues or matters in dispute and Events of Default and the means identified to resolve any issue or matter in dispute and any Event of Default.
- (2) The record maintained by the Chairperson in accordance with Subsection (1) may be used:
 - (a) as a means of identifying problem areas in implementation which may require consideration by the parties or amendment of this Agreement or any Treaty Entitlement Agreement;
 - (b) as information which may be considered by an Adjudicator in determining if an Event of Default has occurred; and
 - (c) for inclusion in the annual report of the Implementation Monitoring Committee issued in accordance with Paragraph 34.09(10)(b) or other reports issued in accordance with Paragraph 34.09(10)(c).

36.02 Matters Constituting Events of Default

The following constitute Events of Default by a party or an Entitlement First Nation:

- (a) a party or Entitlement First Nation has failed to comply with any Award of an Adjudicator in binding arbitration within the time period specified in an Award or, where no time period is specified, within a reasonable period of time, provided that:
 - (i) the party or an Entitlement First Nation has not filed an appeal of that Award in accordance with Subsection 35.05(1); or
 - (ii) the failure of that party or Entitlement First Nation to comply with the Award does not result from the failure of any other party, an Entitlement First Nation or any Person to undertake or perform any action as an obligation under this Agreement or any Treaty Entitlement Agreement or a condition precedent to the party or an Entitlement First Nation complying with the terms of the Award;
- (b) an Adjudicator in binding arbitration has determined:
 - (i) that a party or an Entitlement First Nation has, repeatedly and in a manner which clearly establishes a pattern, materially failed to comply with its obligations under this Agreement or any Treaty Entitlement Agreement; and

(ii) the failure of a party or an Entitlement First Nation to comply with its obligations under this Agreement or any Treaty Entitlement Agreement was not the result of the failure of a party, an Entitlement First Nation or any Person to undertake or perform any action as an obligation under this Agreement or the Treaty Entitlement Agreement or as a condition precedent to a party or Entitlement First Nation complying with its obligations under this Agreement or the Treaty Entitlement Agreement;

(c) a party or Entitlement First Nation has failed to comply with a decision of the Manitoba Court of Queen's Bench made in accordance with Subsection 35.05(2) within the time period specified in that decision or, where no time period is specified, within a reasonable period of time, provided that the failure of the party or an Entitlement First Nation to comply with the decision of the Manitoba Court of Queen's Bench does not result from the failure of any other party, an Entitlement First Nation or any Person to undertake or perform any action as an obligation under this Agreement or any Treaty Entitlement Agreement or a condition precedent to the party or an Entitlement First Nation complying with the terms of the decision; or

(d) an Adjudicator in binding arbitration has determined that a party or an Entitlement First Nation has materially failed to comply with a fundamental term or condition of this Agreement or any Treaty Entitlement Agreement and has not remedied that material failure within 30 days of receipt of notice in writing from another party or Entitlement First Nation in accordance with Subsection 36.01(1).

ANALYSIS:

The key elements of the TLE-MFA that require specific attention and monitoring include Sections:

36.03 Identification of Means of Resolving Events of Default

Any party or Entitlement First Nation that admits, or is determined by an Adjudicator in binding arbitration to have committed, an Event of Default shall determine and identify reasonable means of remedying the Event of Default.

36.04 Loss or Damage as a Result of an Event of Default

(1) Where an Adjudicator in binding arbitration has determined that a party or Entitlement First Nation has committed an Event of Default, a party or an Entitlement First Nation which has suffered loss or damages as a result of that Event of Default may refer the matter of that loss or damage to the Implementation Monitoring Committee as an issue or matter in dispute.

(2) Where an issue or matter in dispute of the nature referred to in Subsection (1) is referred to an Adjudicator to be resolved by binding arbitration, the Adjudicator may make an Award setting damages to be paid by the party or Entitlement First Nation committing the Event of Default to the party or Entitlement First Nation suffering the loss or damages.

IMC NEXT STEPS:

Recommendation 1: The IMC should review the decisions of the Binding Arbitrations to confirm that the awards of each of the decisions have been fully implemented and addressed. For example: Have "reasonable means" been taken to remedy the Event of Default, have appropriate steps been taken to address the "loss or damage" as a result of the Event of Default, have the damages set out in the Award resulting from the damages been addressed within a timely manner.

Recommendation 2: The IMC to review the IMC Policies and Procedures Manual 2015 to confirm the steps relating to the Arbitration Decisions as well as the Events of Defaults and Awards are adequately addressed in the process.

Recommendation 3: Where the MFA-TLE or the Policies and Procedures Manual 2015 does not adequately address the process steps for Monitoring or Facilitating the process regarding Awards and Events of Default, the IMC will work toward addressing these oversights through amendments to the Policies and Procedures Manual 2015.

The IMC approved of these recommendations on June 22, 2018. Additional work is required to implement the recommendations proposed by the Chairperson in the Briefing Note.

During the September 18, 2018 IMC meeting the IMC Members agreed to have a meeting on October 19 to discuss and review the IMC Policy and Procedures Manual. The context of the discussion was to focus on recommendations outlined in the Chairperson's briefing of June 22, 2018.

The IMC met on October 19, 2018 to confirm that the awards of each of the decisions have been fully

implemented and addressed. For example, have “reasonable means” been taken to remedy the Event of Default, have appropriate steps been taken to address the “loss or damage” as a result of the Event of Default, have the damages set out in the Award resulting from the Event of Default been addressed within a timely manner.

The IMC members reviewed the two decisions that have been made through the Binding Arbitration Process. The Crown Reservation – Portages Decision and the Selections of Land within Provincial Parks. The IMC agreed to not discuss the IMC referral regarding the TLEC Material Failure Allegation referral as it remains under active negotiations. The IMC discussed the fact that all Arbitrations have a time frame with regard to the dispute resolution process. There is an obligation to reach an end point and be proactive rather than reactive. The IMC has a limited role in policing if the decision of an Arbitrator has been implemented. The main role of the Chairperson on behalf of the IMC is to maintain a record of all issues or matters in dispute and Events of Default and the means identified to resolve any issue or matter in dispute and Event of Default. The information that is collected by the Chairperson may be considered by an Adjudicator in determining if an Event of Default has occurred.

The Chairperson can also request submission from any of the Parties in order to assist with clarifying the issue or to fill in the facts of the issue or matter in dispute. There is a consistent approach that is needed in addressing each of the Arbitration decisions. One suggestion is to have a one page written submission provided by the parties in dispute on each of the decisions to the IMC until the decision has been implemented. There should be consistent information provided such as the Portage Update Chart.

This will assist the IMC in determining if and when the issue has been resolved subsequent to the Arbitrators decision. This will signal if there is an issue that remains to be resolved. A specific example is with regard to the Ponask Lake selection of NHCN. Although it is not a specific task of Manitoba, Manitoba should be responsible for following up with NRCan to confirm if the existing boundary for the Ponask Lake selection is sufficient for transfer using the original survey fabric.

After an award is given the IMC reviews the scope by party or parcels. This requires group discussion amongst the IMC as well as a review of the reports containing the process steps. There will also need to be a determination as to the relevance of the decision from the Arbitrator to other parcels. These steps can be reported on up until the end of March of each fiscal year and reported in the June Annual Report.

The file on Portages is complete or soon to be fully implemented once those parcels are set apart as reserve. The result of the Arbitration decision was that the Manitoba Policy on Portages changed.

The IMC also discussed reasonable timeframes for responding to the issues and the request for information. A quarterly timeframe was suggested in order to monitor the attempt taken to address the award from the arbitration decision. There was new heading introduced within the IMC Agenda for the Arbitrations that are now closed: **Efforts on Arbitration Decisions** rather than **IMC Referrals**. This will assist with monitoring the Arbitrations until they have been fully implemented. This will require reporting back from both Parties that were involved in the Issue or Matter in Dispute.

Chart 5: Signed Entitlement First Nations Crown Land Amount of Acres to be Selected

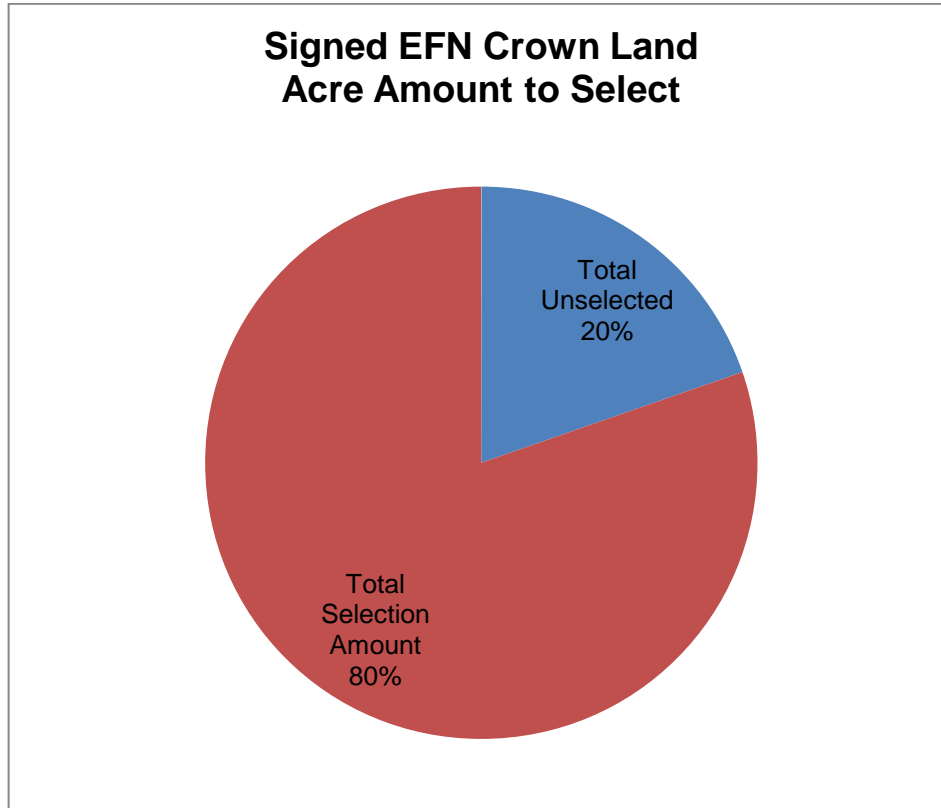


Chart 5 above illustrates that total amount of Crown land that all EFNs, including the Unsigned EFNs, that have selected lands. The chart also shows that total amount of land that has not been selected which is also inclusive of the six EFNs that have not signed their TEA.

Chart 6: Total Acres Acquired by Schedule B Entitlement First Nations

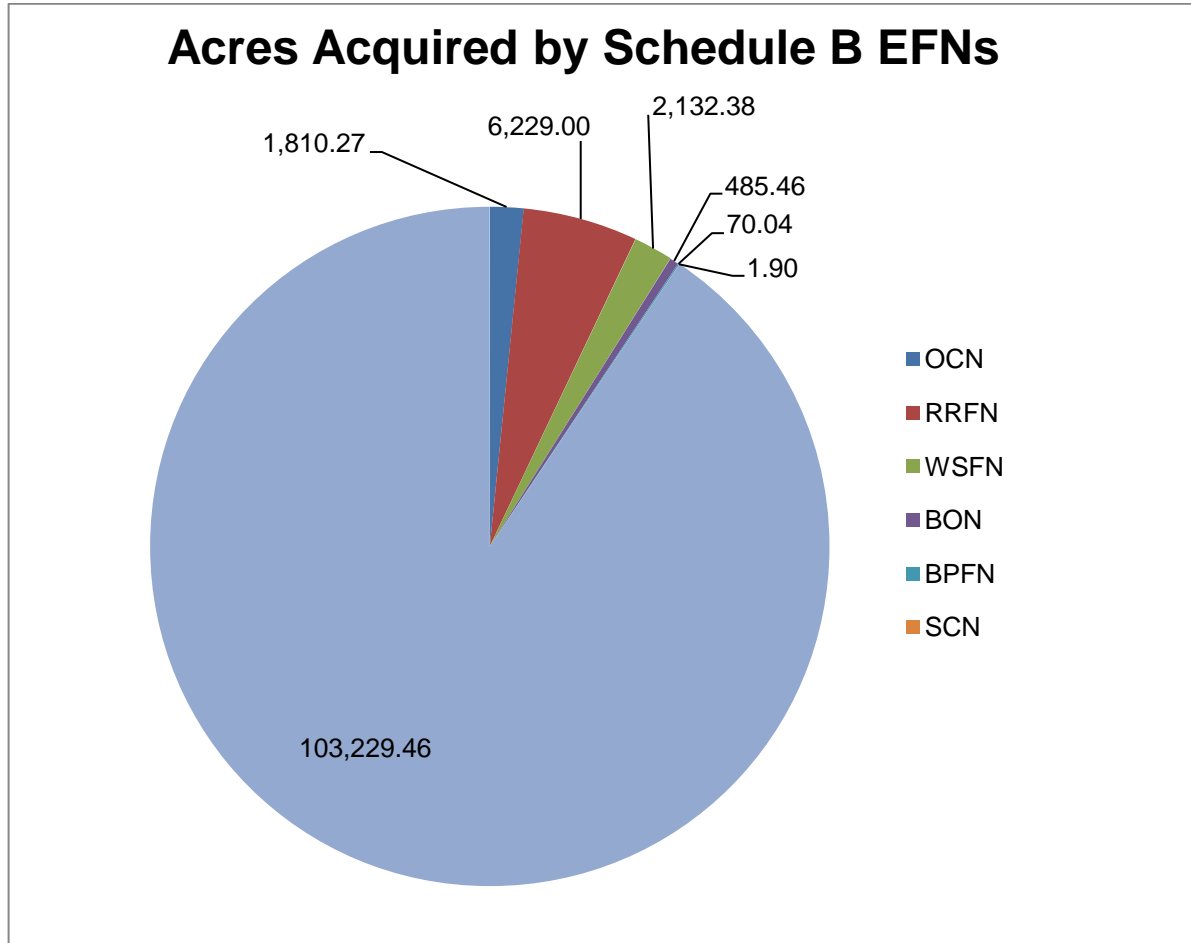


Chart 6 depicts the total amount of acres that the Schedule B Entitlement First Nations have purchased under the MFA-TLE. Rolling River First Nation has purchased the largest amount of land. The numbers depicted above include the amount that has been purchased that has not been set apart as reserve as well as the amount that has been set apart as reserve.

UNSIGNED FIRST NATIONS

Six First Nations have not signed their Treaty Entitlement Agreement to enter the process whereby Crown land that they select is to be set apart as reserve. Despite not having signed their TEA, five of the EFNs have taken proactive steps to identify lands by pre-selecting lands that they would intend to have set apart as reserve. These six EFNs include:

First Nation	Pre-Selected Acres	Total Land Amount
Fox Lake Cree Nation	6,576.73	26,391
Marcel Colomb First Nation	0	17,007
O-Pipon-Na-Piwin Cree Nation	29,209.65	17,674
Sayisi Dene First Nation	9,359.85	22,372
Shamattawa First Nation	19,349.04	24,912
York Factory First Nation	12,774.71	29,173
TOTAL	77,269.98	137,529

3.6 OUTSTANDING TREATY ENTITLEMENT AGREEMENTS (TEAS)

By the end of the 2018/2019 fiscal year, six EFNs which are entitled to enter into TEAs under the MFA-TLE had not executed a TEA. None of these six EFNs are included in the Annual Work Plan, and their entitlement is comprised of **100%** Provincial Crown Land, and totals **137,529.00** acres. This is **57** percent of the total amount which is **241,481** acres that remain to be selected. These six EFNs are listed in above.

The IMC continues to hold consensus that the lead role should not be assumed by IMC, but rather it is a responsibility of the Parties to drive the process of reaching out to the unsigned EFNs. As a result of this decision the IMC will no longer have this item on the IMC agenda.

Sayisi Denesuline First Nation (SDFN) completed their relocation claim in September 2016. Manitoba has indicated that SDFN will sign the claim agreement on condition that the First Nation signs their TEA. ISC will be providing funding to SDFN in the new fiscal year for the ratification of their TEA.

The funding for Fox Lake Cree Nation, York Factory First Nation, and Shamattawa First Nation has been moved to the next fiscal year (2018-19). O-Pipon-Na-Piwin Cree Nation is waiting to complete the process for their Land Transfer Agreement with Canada prior to signing their TEA. The IMC has noted that a majority of the Unsigned EFNs have made pre-selections outside of their Community Interest Zones that have already gone through the Manitoba circulation process. As a result of these pre-selections having gone through this process these lands are now restricted from the issuance of dispositions on the land. Based on the Manitoba Treaty Land Entitlement Selections (TRELES) reports a majority of these selections are also free of Third Party Interests and Encumbrances.

PROGRESS DURING 2018/2019

There have not been any new TEAs executed this fiscal year. The Unsigned EFNs have unresolved issues that need to be addressed prior to contemplating signing their Treaty Entitlement Agreement.

The Parties have not finalized an EFN specific Work Plan for the unsigned First Nations as recommended by the IMC to be included into the Three Party Strategic Plan process for 2018/2019. The intent is to continue this action plan through future plans. Canada, TLEC, and Manitoba remain prepared to enter into TEAs with the six First Nations and discussions are held with the First Nations. There have been no TEAs signed by the Parties during this reporting period. There have been numerous attempts by the Parties to confirm the signing of these TEAs.

The Parties would benefit by outlining the specific tasks required for each EFN in order for them to sign their TEA. This can be achieved through a work plan similarly with work plans developed for the 15 EFNs with signed TEAs. Once the Parties develop the specific steps required for each First Nation to sign their TEA the Parties can provide this work plan to new TLE implementation staff within government and TLEC. This would also be useful for new First Nation governments that may not be familiar with the TLE process and the required next steps to complete.

During an IMC meeting on May 16, 2018 it was indicated that Marcel Colomb First Nation is interested in signing their TEA. On April 17, they contacted Canada and expressed this interest and that they are keen on moving ahead on their TEA and confirming a funding process.

A Proposal from Sayisi Dene First Nation has also been submitted to Canada and Canada is looking to fund them for their process by the end of May. The Community Approval Process is being discussed with Chief Powderhorn.

At a June 22, 2018 IMC meeting the IMC Members also discussed the Unsigned EFNs and the need to place this topic back on the IMC agenda for discussion. There is currently no formal position amongst the Parties on the Unsigned EFNs. They are members of the MFA-TLE, but have not signed their Treaty Entitlement Agreements (TEA). There are concerns with the dwindling TPI Account dollars that there will not be enough for them to address their issues if they should sign their TEA. The EFNs that have recently expressed an interest in signing their TEA are Sayis Dene First Nation, Fox Lake Cree Nation, and York Factory First Nation. Once they sign their TEA then they would subscribe for units under the Limited Partnership to hold a contribution of the Limited Partnership.

The IMC will continue to discuss at future IMC meetings how to address the Unsigned EFNs and the funding amounts. The IMC will also discuss the expectations of the Unsigned EFNs and how the pre-selections will be addressed that Manitoba has a place holder on. There will be additional competing interests on these lands as more developments are being proposed as well as consultation continues. The IMC will also discuss the implications of the Community Approval Process votes that have occurred and whether or not new votes are required.

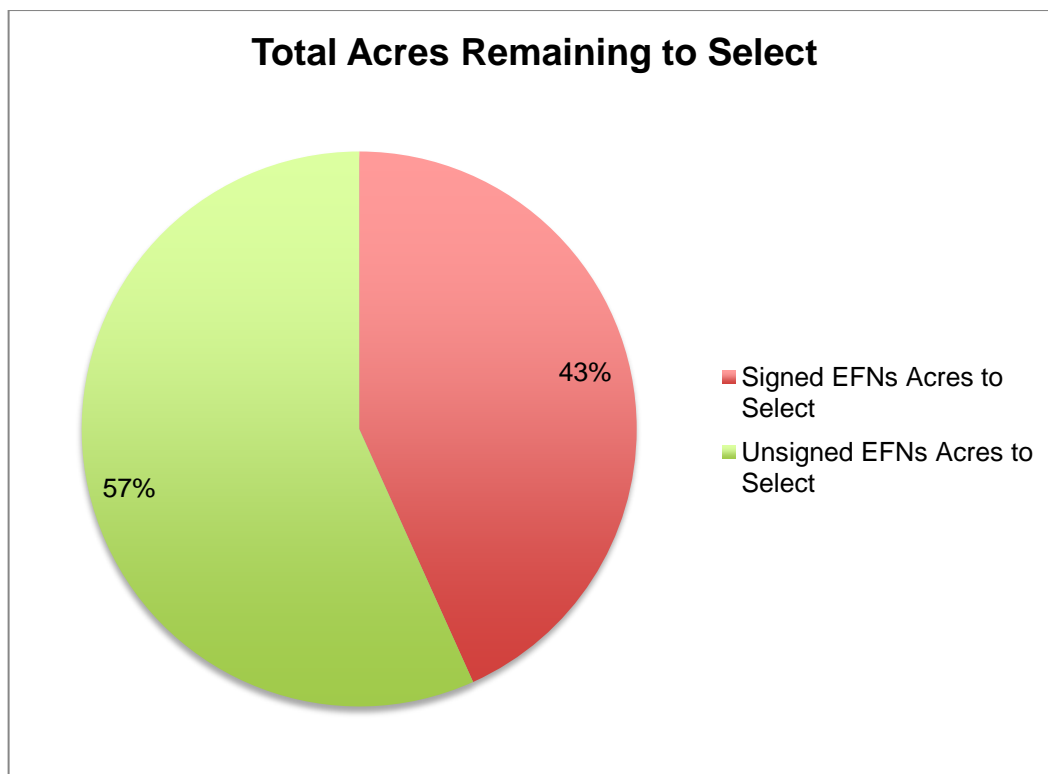
On September 18, 2018 the Chairperson provided a copy of a letter from Sayisi Dene Nation expressing some challenges that they experienced with receiving funding to complete their Community Approval Process (CAP). They indicated that they have resolved their outstanding legal issues regarding their outstanding claim. As result of significant progress on these issues they expressed an interest in proceeding with their CAP for their Treaty Entitlement Agreement.

The SDN expressed “exacerbation” with the fact that funding was approved only later to be informed that it had been rescinded due to the lack of available funds. The last correspondence received from Canada was August 16, 2018. Canada indicated that they will be looking for funds for SDN to complete the CAP process and explain the situation with regard to the rescinding of funds earlier. In commenting on the letter, TLEC stated that Manitoba should also be requested to contribute funds since they have requested a precondition that the signing of their relocation claim be contingent upon SDN completing a CAP vote under the MFA. Manitoba will respond to IMC/TLEC in response to the suggestion that Manitoba provide funds for the SDN CAP vote.

York Factory First Nation was provided funds to complete their CAP vote. It is expected that they will have their CAP vote completed prior to March 31, 2019.

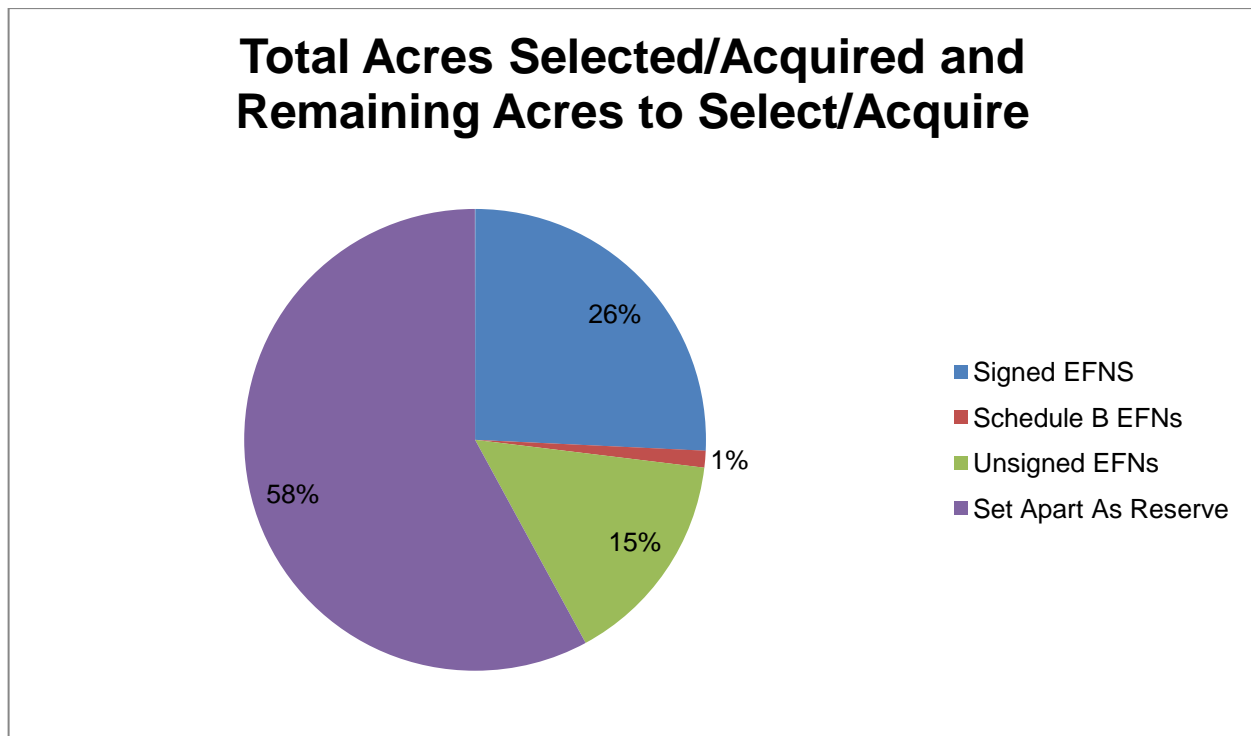
The Chairperson will drafted a letter to SDN in response to their letter outlining some of the expectations that the MFA as well as what may differ should these EFNs intend on being independent from the MFA-TLE. This letter can also be addressed to the other Unsigned EFNs. The Chairperson will include within the letter an update on the status should these EFNs choose to sign their TEA at this point in time. One of the considerations to mention is the fact that funds remaining in the TPI Account will be disbursed to the EFNs in 2022. Canada will respond to the SDN letter and provide responses to the questions asked.

Chart 7: Total Acres Remaining to Select



This chart illustrated above is a representation of the total acreage that EFNs are to select, which is 242,024 acres. The Signed EFNs have to select 43% or 105,024 acres of this total. The Unsigned EFNs have 57% or 137,000 acres of the total.

Chart 8: Total Acres Selected and Acquired - Remaining Acres to be Selected and Acquired



This chart is intended to demonstrate the total amount of land that is set apart as reserve, which is 526,607 acres in relation to the Signed EFNs amount that is not set apart as reserve which is 234,018 (26%) acres as well as the Schedule B EFNs acquisition amount of 10,729 (1%) acres that is not set apart as reserve. This chart also illustrates the total amount of Unsigned acres which is 137,529 (15%) acres that have not been set apart as reserve.

3.7 THIRD PARTY INTEREST RESOLUTION

The IMC representatives agree that there is a need to improve the progress of resolving outstanding Third Party Interests (TPIs). There are a number of TPIs and encumbrances affecting the MFA-TLE Selections and Other Lands. The latest information obtained from Manitoba notes that there are **65,000** acres or **34** percent of lands affected by Manitoba hydro easements, **28,339.73** acres or 5 percent is Private interests and Crown Mines-Minerals-Quarry Leases-Permits-Licenses-Claims-Aggregate-Petroleum-Natural Gas interests which is **21** percent, **9,160.88** acres or **7** percent are lands in municipalities, and utility and general permits. The resolution of TPIs requires the First Nations, Canada, Manitoba and the TPI Holder to reach consensus on the method of resolving the TPIs and encumbrances.

Article 10.01(2) states that:

Third Party Interests which affect any land which is otherwise eligible to be set apart as reserve in accordance with the Principles must be resolved to the satisfaction of Canada, Manitoba, the Entitlement First Nation which has Selected or Acquired the land and the holder of the Third Party Interest prior to:

The transfer by Manitoba to Canada of administration and control of the Crown Land or any interest in the Crown Land; or

(b) the Entitlement First Nation or a Person on behalf of the Entitlement First Nation providing to Canada a registerable transfer of title to the Other Land.

The resolution of these outstanding TPIs essentially requires agreement amongst the four parties where an interest exists on the land. In most cases the interest will continue on the land once it becomes reserve. There are agreements that have been reached with respect to the resolution of utility permits known as 28(2) permits under the *Indian Act*, but there is more work required to complete additional agreed forms. There is also more work required to assist those First Nations that have become a signatory to the *First Nations Land Management Act*. Once these First Nations have become a signatory to this agreement they are required to develop their own land code or land law which governs the administration of their reserve lands. The result is that they are no longer fall under the sections of the *Indian Act* that relate to the lands. More legal instruments will need to be developed to take into account the First Nations perspectives and how their land codes address these Third Party Interest and encumbrances.

PROGRESS DURING 2018/2019

Canada, Manitoba and TLEC as signatories to the MFA-TLE have been successful in resolving some Third Party Interests (TPIs) and Encumbrances throughout this fiscal year. Although the MFA-TLE indicates that it is a responsibility of the three parties the lead in resolving these interests rests with the First Nation.

The Bunibonibee Cree Nation made an amendment to their original selection known as Knee Lake Lodge which allows a portion of their selection that is unencumbered to continue along the reserve creation process. The portion that has the TPI on the selection will remain a selection until the TPI is resolved.

In particular for God's Lake First Nation resolved four Third Party Interests (TPIs) on their selections known as the DNR Lot and the Lot 6 Grp 424. The TPIs were in relation to a Bell MTS Facilities and a Hydro Distribution Lines. All of these TPIs were resolved using the 28(2) permit under the *Indian Act*. God's lake First Nation also amended their selection known as Little Stull Lake to allow for a majority of the acres that are free from mining claims to proceed through the reserve creation process. The remaining acres will remain selected and will be set apart as reserve once the Third Party Interest is resolved.

Manto Sipi Cree Nation resolved one TPI on their Wasekuscusik Bay selection in relation to a permitted Youth Camp that was located on their selection.

Mathias Colomb Cree Nation resolved one TPI on their parcel known as Pawistik Falls in relation to a Manitoba Internal Task that relates to the Water Power Regulation withdrawal on the Churchill River system.

Norway House Cree Nation resolved three TPIs on their Nelson River East Channel parcel relating to Manitoba Hydro Monitoring Stations.

Sapotaweyak Cree Nation resolved three issues on their 703 Main St. property in the Town of Swan River. The issues were in relation to Land in a Urban Area - Town of Swan River – MDSA, Hydro - Electrical and Gas Lines - 28(2) permit, Bell MTS Facilities - 28(2) Permit.

War Lake First Nation two issues on their Ilford Phase 2 (3-05) relating to Private Land - MHRC Housing and Manitoba Hydro Distribution Line.

Wuskwi Sipi First Nation resolved one issue on their Antler Corner 2 parcel in relation to a Manitoba internal task for a withdrawal from the Porcupine Provincial Forest. They also signed an MDSA with the Town of Swan River for their property known as Lot 1 Plan 54719 DLTO (1-14a).

34.08 Technical Support and Independent Professional Advice

The Chairperson may, where the members of the IMC agree, retain technical support and independent professional advisors, including legal counsel, as necessary from time to time to assist in the proper discharge of the responsibilities of the IMC, including the responsibilities of the Chairperson.

The Chairperson has not required the services of Technical Support or independent Professional advice. There may be a potential to seek this advice within the next fiscal year given the complexity of some of the issues being discussed, in particular the FNCIDA regulations.

Chart 9: Third Party Interests and Encumbrances on Selections and Acquisitions

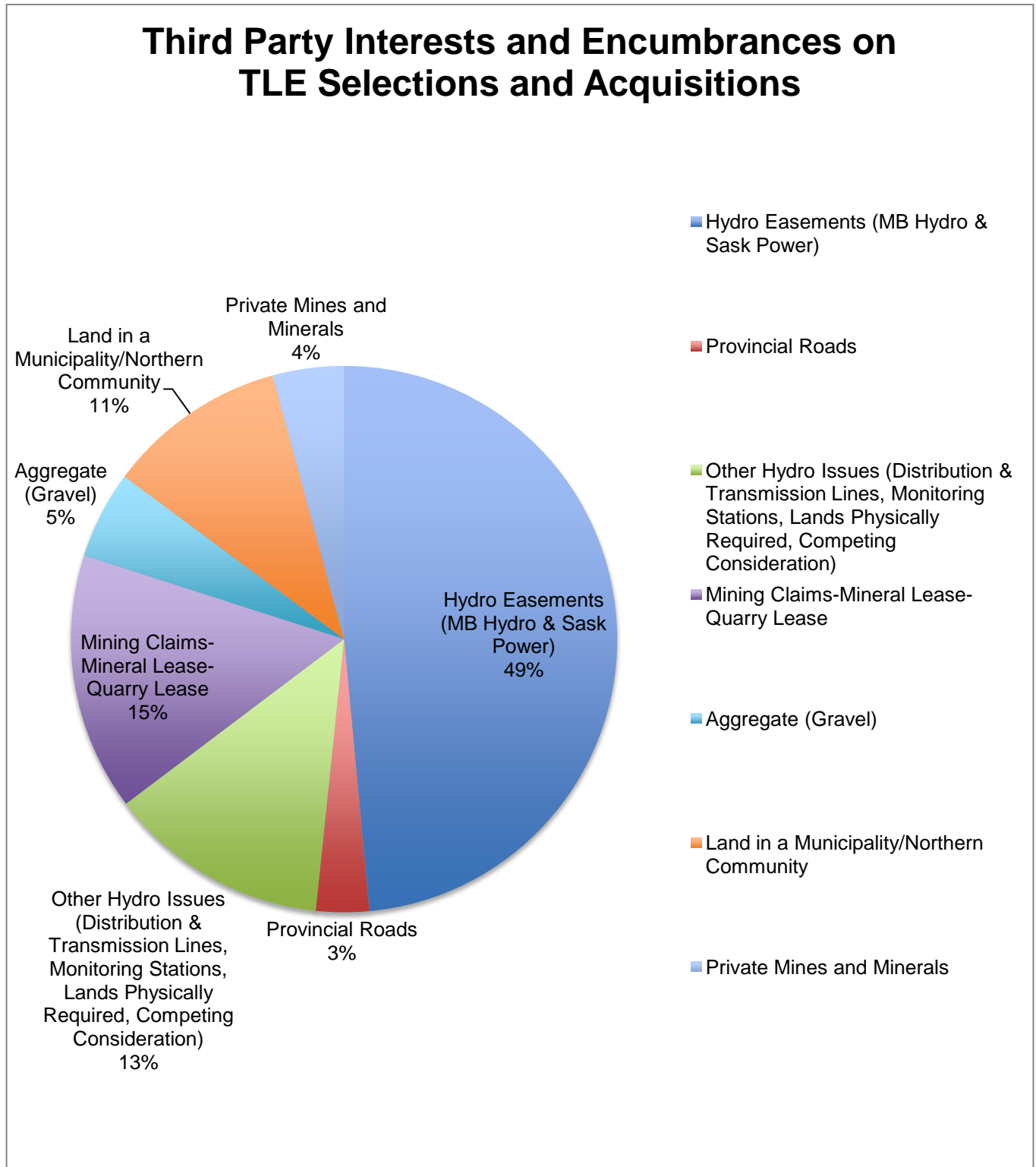


Chart 9 is an illustration of all of the current selections and acquisitions that have not been set apart as reserve. The TPIs and Encumbrances shown above depict the percentages based on the amount of acres that each issue is identified within each selection and/or acquisition. The graph highlights each of the specific issues independently; however, there are some parcels of land where more than one issue is identified within one parcel of land. What this graph demonstrates is where the highest and lowest concentration of TPIs and Encumbrances exist. The top

three issues that are encumbering the highest percentage of acres is Hydro Easements, Mining Claims, Mineral Lease and Quarry Leases as well as Other Hydro Issues.

3.8 OTHER SPECIFIC ISSUES

3.8.1 AGREED FORMS

The last meeting held with the Committee was February 2018. As result of the Mining Claim Working Group meetings and the priority of this working group has resulted in the Committee not having met. The Chairperson will follow-up with the Committee to determine the last set of undertakings and when the Committee will be available to meet again.

The Agreed Forms Committee is not a committee under the MFA-TLE. The formal process for adopting documents as Agreed Forms is found under Article 38. The section reads:

Agreed Forms shall be approved by agreement in writing of the representatives of each of the parties on the Implementation Monitoring Committee.

The IMC Chairperson provided the IMC representatives with copies of the proposed Agreed Forms for review. Manitoba confirmed that the Community Accord developed by the MDSA Working Group would be a proposed Agreed Form. The Chairperson provided reasonable timelines to have these documents reviewed and comments provided back. The Parties indicated that six months would be a reasonable timeline to have comments back on all of these documents. The list of documents that the IMC Chairperson sent to the IMC representatives for review included:

- Pre-Transfer Use Agreement – used to resolve interests of members on lands becoming reserve status;
- Future Mineral Access Agreement – used to address the issue of a private mines and mineral rights holder that is unwilling to be cooperative or is unresponsive or unwilling to reach an agreement;
- Two MTS (28)2 Permits (SCN&RRFN) – used to resolve the interest of MTS where infrastructure is located on land that is to be set apart as reserve;
- Easement Agreement Across Crown Land – used to resolve an issue where the lodge owned by the First Nation entered into an access agreement to cross Crown Land to access the lodge;
- First Nations Commercial and Industrial Development Act Tripartite Agreement and regulations – intended to be developed to address the issue of Mining Claims on Crown Land where selections have been made.

PROGRESS DURING 2018/2019

The series of documents that the Agreed Forms Committee reviewed throughout the year essentially involved the IMC Members providing comments and revisions prior to being sent to the Senior Advisory Committee for formal approval. Once all of the comments have been received from all IMC Members on all of the documents the Chairperson will send the documents to the Senior Advisory Committee for formal approval.

On October 15, 2018 the Agreed Forms Committee discussed the Bell MTS 28(2) Permit Sapotaweyak Cree Nation (SCN) signed in 2016. The Committee was unable to discuss this permit in great detail as Canada was unable to provide the document in advance of the meeting. Canada indicated that they would provide a copy of the executed permit that was signed for the Swan River Lot. 3. The Agreed Forms Committee also discussed the Manitoba Hydro 28(2) Permit that SCN executed in 2016 as well. The main change that was noted over the years is the change in voltage from a 25KV line to a 66KV line being referenced in the permit. Canada provided the most recent version that has been executed by SCN as well. Canada also indicated that they have a recent Gas Line permit that has been executed that they shared with the Committee as well. The Committee also discussed the First Nations that are under the *First Nations Lands Management Act* and the types of permits that they utilize are often times the same or similar to the 28(2) permits under the *Indian Act*.

The Committee also discussed the Pre-Transfer Use Agreement which has been used to address Unregistered Interests or unregistered cabins. The Committee discussed the issue of enforcement when these selections are made. In most scenarios to date the Selections have involved members of the First Nation that have selected the lands. Where there is a scenario that a non-band member is found to have created a structure on the selection Manitoba will carry out its duties of enforcement under the *Crown Lands Act*.

The First Nation does not have powers of enforcement while the lands remain Crown Lands despite having made a selection for the purpose of TLE. The Exclusive Use Permit (EUP) issued to the First Nation does not provide for the authority of the First Nation to enforce its right to the selection. The EUP does, however restrict access and use of this land to other individuals. The EUP is issued once eligibility is confirmed as per Article 6.03(1) of the MFA-TLE. Once a EUP is issued this effectively freezes the selection in place. There are however, some activities that are permitted on TLE selections such as Forestry, but must be done with approval of the First Nation through an agreement as per 3.03(g) of the MFA-TLE. The purpose of the Pre-Transfer Use Agreement is to address the issue of liabilities that may result with permanent improvements that have occurred on the land. The concern for liability stems from Canada being sought for costs from band members for improvements on these TLE selections. The additional scenario that was discussed is with regard to community use cabins that have been defined in the *R. v. Sundown* case.

The group also discussed the use of the Quit Claim form that SCN also executed that involved twenty SCN members. This agreement allowed these members to continue to reside on the lands once the land was set apart as reserve. These were cabins that were bought and sold to individual band members. The primary issue is with regard to whether the structure is considered temporary or permanent and the case law regarding the treatment of these different structures. If a structure is built on the selection prior to becoming set apart as reserve then it would be the responsibility of the First Nation to address this issue.

Currently, the process for identifying these structures is through Manitoba's review of registered permits on the selection where cabins are identified and Canada identifies an unregistered structure when the Environmental Site Assessment is conducted.

The key element that is of importance is where there is a non-member within the selection that is identified as having a permanent structure on the selection. Where this is identified Manitoba must take enforcement measures under the *Crown Lands Act*.

The land transfer and reserve creation process can take up to 6-10 years to have the lands set apart as reserve which does leave the door open for a structure to be built on the lands within this timeframe. If the First Nations provide a BCR indicating that nothing has been built on the lands after the original ESA has been completed then the lands will be set apart as reserve. There have been a few First Nations that have signed Pre-Transfer Use Agreement since 2014 the committee has looked at. These can be approved by the IMC and subsequently the SAC to illustrate where there have been issues as well as where there have been no issues and the structure remains in place and proceed to reserve status.

The Norway House Cree Nation (NHCN) parcel known as Lebrix Lake A is where there is a registered general permit for a remote cottage where the Regional Surveyor Map has been signed. The Exclusive Use Permit has also been issued to NHCN. The total acreage of the selection is approximately 733.70 acres. The NHCN parcel known as Lebrix Lake B does not have a General Permit on it or an unregistered interest identified within the All Party Work Plan, but a POIC has been issued.

The Chairperson gathered the list of registered and unregistered interests on the selections that have not been set apart as reserve to date to determine the total amount of acreage affected by this issue. The unregistered structures/interests account for **10,513.85 acres** and the registered General Permit structures account for **20,283.28 acres**. The registered interests under General Permits include registered trappers cabins, primary residences and recreation cottages and remote hunting and fishing cottages. This has been contrasted with the number of parcels and acreage that have gone through the process of becoming set apart as reserve which total **30,602 acres**. These acres were comprised of remote cottages, trapper's cabins and residence that were either cancelled, excluded or an agreement was reached.

During the discussion the question was raised with regard to the available recourse that a First Nation would have if a selection takes a long time to be set apart as reserve and in the meantime a member builds a structure on the selection. How is this prevented? Currently, there is no specific process for preventing this from occurring. It is incumbent on the First Nation to inform their member that the selection is not yet set apart as reserve and members should not build structures on the selection until after the parcel has be set apart as reserve.

The Agreed Forms Committee also discussed the Easement Agreement across Crown Land for lodge owners to cross reserve land to access Lodges. Some of the First Nations that will benefit from having an Agreed to Form of Access Agreement include: War Lake First Nation, Manto Sipi Cree Nation, Wuskwi Sipiik First Nation and Sapotawayak Cree Nation. There have been other First Nations that have completed Access Easement Agreements such as Norway House Cree Nation and more recently Bunibonibee Cree Nation.

There may need to be some modifications to the Access Agreements depending on the specific scenario for each First Nation. One example that will require specific details to be included in their agreement is the access trail or road that is located within the WSN selection. The interest for the public to have access to the lookout by having access through the reserve land will require further understanding and research.

The Municipal Development and Services Agreements (MDS) is also critically important agreement that once formalized as an Agreed to Form will assist First Nations the Additions to Reserve process within their areas. There are templates that exist such as the Federation of Canadian Municipality template as well as other First Nations that have signed their MDSA with Municipalities.

The IMC understands the value of developing a template that can be used by the local governments as a starting point for discussions about the required services that a First Nation may require. There are many misconceptions about these agreements being a way to tax First Nations and a lack of knowledge about the reasoning as to why the tax amount would be reduced from one hundred percent. The Agreed Forms Committee could lead the discussion by reducing the misconceptions and complications through a template or a model agreement that makes sense to all parties. This can address the needs of the First Nation while at the same time providing the Municipalities with the signal of the importance of these agreements. The Agreed Forms Committee can also assist with clarifying the misperceptions and decrease the length of time it has taken to move beyond these views. This model can be reasonable and provide progressive terms that governments can also signal as a reasonable agreement.

The Tulo Centre has worked with First Nations across Canada on service agreements and has been invited to provide guidance to Agreed Forms Committee in developing a model MDSA. The template agreement that the Tulo Centre has developed is based on research from 25-30 First Nations inclusive of Manitoba and British Columbia. The template highlights common principles that both parties have agreed to and is built on the premise of a tax based service agreement.

The Chairperson was a part of a working group in 2015-2016 that resulted in the development of a Community Accord, which is a good document, but is focused more around the initial steps of the First Nation and Municipalities engaging in dialogue. The Chairperson sees the template agreement that the Agreed Forms Committee is drafting as more of a technical document to address the legal language that was unable to be addressed at the other working group table.

It will be useful to review the Tulo agreement to ask what research was conducted in preparation of this service agreement and how the Agreed Forms Committee can use this agreement. Knowing the information that was used in its development will assist the Agreed Forms Committee when it is brought to the Senior Advisory Committee to illustrate that this is a serious way to make progress on this issue. Also, that the IMC has recommended an acceptable agreement and this is the supporting reasons why.

The IMC has also looked at the old guideline document for the purpose of this discussion as it is hoped that it would provide the topics and what would need to be refreshed as well as how each clause may look like.

The focus on this issue will help to clarify and overcome old barrier, if there is a way to help support these progressive tools then the IMC needs to continue this focus. There are practical ways through these barriers that will prevent less positional stances allowing negotiations to move forward by addressing areas of concern.

3.8.2 MINING CLAIMS WORKING GROUP

On April 9, 2018 the legal counsels of the Parties reported that they have held regular meetings to finalize a Tripartite Agreement to implement the *First Nations Commercial and Industrial Development Act (FNCIDA)* Regulations. The goal of the Agreement is to allow those First Nations to have their selections that are encumbered with Crown issued Mining Claims and Mineral Leases to be set apart as reserve, while maintaining the mining interest. The Future Mineral Access Agreement (FMAA) was revised to allow those privately owned mines and minerals to be maintained while the surface of the property is set apart as reserve. The Parties have finalized the FMAA and Canada has indicated that they will proceed with this agreement for the Wuskwi Sipiik First Nation parcels that require this agreement to set these lands apart as reserve.

The Future Mineral Access Agreement (FMAA) was approved by the Senior Advisory Committee. This agreement applies to private ownership of subsurface mines and minerals which allows for the surface of the property to be set apart as reserve.

One of the main updates with regard to the timeline for the completion of the regulations relating to mining activities on reserve lands was stated by DOJ with regard to the finalization of a regulation would be at least two years away. The reason is that the government has other legislation that they are currently focusing on that they will prevent this legislation from being a priority until the next election (Oct 2019).

The MCWG have discussed having two schedules for the EFNs to choose from. One schedule would have a portion of the regulations applying to the point where the current stage of the interest is held by the TPI Holder. The second schedule would be an all inclusive regulation for interests that are more likely to become a fully developed mine. There are two First Nations where all inclusive regulation may be more applicable (GLFN & MSCN). The Tripartite Agreement is near completion, but the regulation will require greater focus in order to be completed.

The key items will be to have the MCWG to begin drafting the regulation or include the people from Ottawa within ISC to assist with the drafting of the regulation. Canada continues to communicate with people in Ottawa to determine the availability of staff to begin drafting the regulation.

The Working Group met on January 9th to review the current draft of the Tripartite Agreement as well as the Draft regulations. Canada indicated that they have briefed the FNCIDA people in Ottawa on this file and have kept them apprised of the progress.

3.8.3 TRACKING THE LAND TRANSFER AND RESERVE CREATION PROCESS

The ISC Regional office currently does not have a program that tracks the transfer of lands being set apart as reserve and does not have the personnel required to develop such a program. It was hoped that a collaboration site could be used through the ISC online platform, but this was not feasible during this fiscal year.

The Chairperson has been involved in the Additions to Reserve Advisory Committee that is coordinated by the National Land Managers Association along with the Indigenous Services Canada (ISC) staff located in Ottawa. One of the projects that this Committee is involved with through funding from ISC is the development of a project management program that will assist all regions including Manitoba with tracking Additions to Reserve which includes lands being set apart as reserve under TLE Agreements.

PROGRESS DURING 2018/2019

The ISC has developed a draft project management tool through the use of SharePoint, an online system that allows many users to log in and make edits and changes to documents for others to contribute to. The IMC Chairperson sits on this working group and provides information and advice on the development of this program. It is anticipated that once this program is complete that the Manitoba Region will be able to use this SharePoint system to track TLE additions to reserve.

3.9 SENIOR ADVISORY COMMITTEE

On June 11, 2018 the Chairperson met with the Senior Advisory Committee. The agenda items included:

- Meeting minutes for Signature from December 2017;
- Updated Dashboard Plan 2018-2019;
- Parcels of Land Set apart as Reserve up to March 31-2018;
- Update on the referrals at the IMC;
- Future Mineral Access Agreement and other Agreed Forms, if they are finalized.

A Senior Advisory Committee meeting was also held on February 13, 2019. The Chairperson provided the Senior Advisory Committee with an update on the following topics:

- Update on the Number of Parcels and Acres Set Apart as reserve in 2018-2019;

- Reviewed the Parcels and Acres Chart;
- Reviewed the TPI Graph;
- Reviewed the 2018-2019 – All Party Dashboard;
- Update on the Strategic Planning Working Group;

Status Update on the Referrals and Issues Discussed at the IMC:

- Reed River – Bed and Shore: Confirmation between Manitoba and BPFN on the method to resolving the issue and setting the lands apart as reserve;
- Birch Point Park – Manitoba has withdrawn the appeal;
- TEA Signing Date: Canada has sent a letter to NCN proposing to acknowledge the July 30, 1998 and that NCN waive any and all claims against Canada relating to the date of the signing and execution of the TEA;
- Kapyong Barracks: The Treaty 1 Chiefs have signed an Agreement in Principle;
- Land in Severalty – Canada and Manitoba need to complete the negotiations for the agreement to implement LIS;

Items requiring confirmation by the parties:

- Funding for lands study;
- Funding for implementation staff (TLEC & BLFN);

Other Status Updates included:

- Hydro- Easements – Manitoba, MB Hydro and BON continue to engage in dialogue while TLEC's referral remains in abeyance;
- Reasonable Means of Remedying the Events of Default;
- Lodges and Outpost Camps;
- Status of the Mining Claims Working Group.

4.0 REPORTING

4.1 EFFECTIVE IMC OPERATIONS

The IMC Office is currently located at #325-200 Alpine Way, Swan Lake First Nation Reserve 8A, Headingley Manitoba. The IMC meeting summaries are recorded and filed as an inventory at the IMC office with the assistance of administrative work through an agreement that was reached between the IMC and TLEC.

The IMC Work Plan is developed by the Parties (and attached to the Chairperson's Service Agreement), the Chairperson would include with the service agreement with TLEC costs for the use of TLEC's Finance Officer and Executive Assistant, subject to the allocations provided in the IMC annual budget. This structure has been in place for fiscal years 2018-2019. In 2018 the IMC Chairperson entered into a Terms of Service Agreement between the IMC and TLEC to provide the IMC with Financial and Administrative Assistance Services for a one-year term ending March 31, 2019.

PROGRESS DURING 2018-2019:

The Chairperson has maintained a full record of all IMC meeting minutes. Included within these minutes are the Undertakings, Decisions and action items of the IMC. The IMC held ten meetings throughout the fiscal year to address the IMC referrals and other issues that arose throughout the year. Each meeting resulted in meeting minutes recording progress towards the targeted results and were confirmed and circulated. The majority of action items were completed for each meeting by the parties.

The Financial management items are reported regularly with quarterly review by the IMC. At the IMC meeting of June 22, 2018 the unaudited statement was complete and a circulation letter was sent with copies at month's end to the Party representatives. The Annual unaudited statement was approved.

5.0 SUMMARY AND RECOMMENDATIONS OF THE IMC CHAIRPERSON

It is an honour and privilege to have been re-appointed Chairperson of the IMC by SAC to continue to assist with addressing the shortfall of lands that and the transfer of these lands to reserve resulting from the MFA-TLE and the Treaty obligations. Specifically, Treaty No. 1, Treaty No. 3, Treaty No. 4, Treaty No. 5, Treaty No. 6, and Treaty No. 10 through the Manitoba Framework Agreement on Treaty Land Entitlement of May 29, 1997 and the Treaty Entitlement Agreements for each of the Entitled First Nations.

My focus over this past year in the IMC office in 2018-2019 has been to push the parties to look at some of the issues that have remained unresolved with regard to the resolution of Third Party Interests and encumbrances that have prevented parcels of land from being set apart as reserve. As IMC Chairperson I have worked with the Agreed Forms Committee which is representatives of the parties to formalize documents and agreements assist the parties with resolving these issues. These issues remain obstacles to the implementation of the MFA-TLE. The Chairperson has a role under the MFA-TLE provisions to assist the MFA-TLE Parties in resolving the Issues and Matters in dispute that have been brought before the IMC by the Parties and the EFNs. I have also continued to further the excellent work done by previous Chairpersons.

On behalf of the Implementation Monitoring Committee established under Section 34.01 of the 1997 Manitoba Framework Agreement on Treaty Land Entitlement, I respectfully submit this the Annual Report of the IMC to the President of the TLE Committee, the Minister of Indigenous Services Canada, and the Minister of Indigenous and Northern Relations for Manitoba, for the reporting period ending March 31, 2019.

Article 34.09 (10) (c) as my authority, which states:

The Chairperson may, on behalf of the Implementation Monitoring Committee, provide to the President of the TLE Committee, the Minister of Indian Affairs and Northern Development of Canada and the Minister of Northern Affairs of Manitoba other reports from time to time as the Chairperson deems appropriate.

Surveys: Evaluation of the amount of funds needed to complete all of the outstanding lands that require surveys and increase the survey budget to allow for the available acres to be surveyed in a given year.

Crown Issued Mining Claims: The IMC and Agreed Forms Committee should continue to focus efforts on developing terms and conditions under the *First Nations Commercial and Industrial Development Act* to allow the lands to be set apart as reserve while maintaining the Crown-issued mining claim interest holder to maintain the mining interest they currently hold.

Private Mines and Minerals: Canada to proceed with reserve creation to the surface only to the extent that the current private mines and minerals owner holds the subsurface interest through the use of the Future Mineral Access Agreement. When the private mines and mineral interest holder requires access to the subsurface the First Nation can negotiate access with the interest holder at that time.

Hydro-Easements: The EFNs that have not already signed on to the *First Nations Land Management Act* should be encouraged to become a signatory to this legislation. Manitoba should be encouraged to sign off on the Hydro Easement Agreement without the transfer of the agreement to a new entity should Manitoba Hydro become privatized (i.e. privatization of MTS). Manitoba Hydro should be encouraged to enter into an Adaptive Management Plan regarding shoreline management with the EFNs in conjunction with lands subject to a Hydro Easement Agreement.

Outstanding Acquisitions: The First Nations should be provided with more acquisition dollars to purchase the remaining acreage. The Federal government can request the Manitoba government to provide these lands for sale at \$1/acre to fulfill the outstanding TLE legal obligation. Alternatively, Canada should be asked to provide the necessary funds to allow the First Nations to purchase their full entitlement acres.

Outstanding Selections: Canada, Manitoba and TLEC to work collectively to assist the EFNs to identify selections of Crown Lands.

Unsigned First Nations: Canada to provide dedicated staff to assist the unsigned First Nations with resolving the issues that are preventing them from signing their TEA.

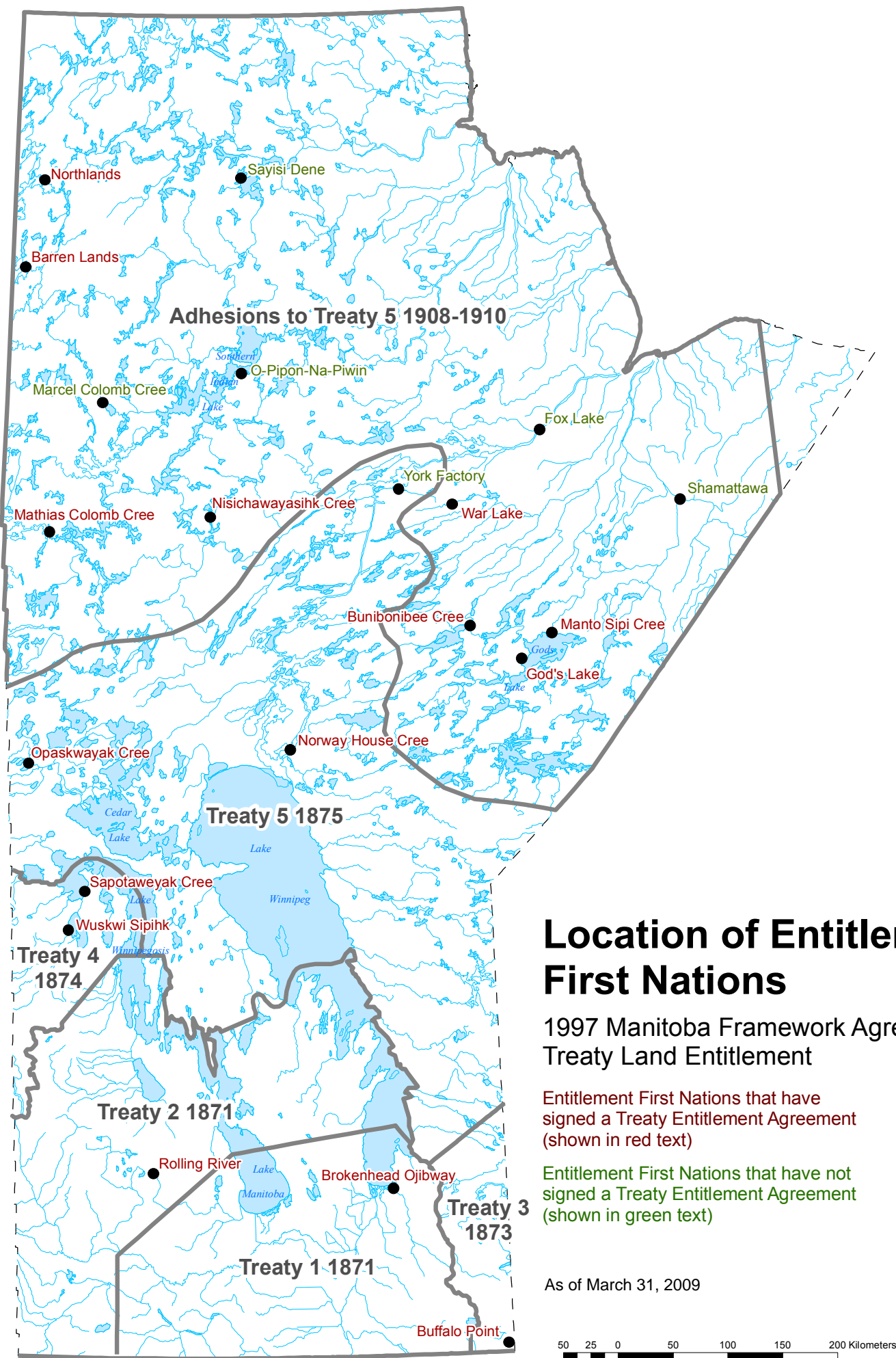


Laren Bill
Independent Chairperson, IMC

6.0 SUMMARY OF APPENDICES

Appendix A	Map of Entitlement First Nations
Appendix B	IMC Work Plan 2018 - 2019
Appendix C	IMC Policies and Procedures
Appendix D	Letter to Manitoba Sustainable Development April 4, 2018
Appendix E	2018 - 2019 Three Party Annual Work Plan Results

Map of Entitlement First Nations



IMC Work Plan 2018-2019

IMC Work Plan 2018 - 2019

#	Activity	Expected Results	MFA Authority
1	Resolution of Matters In Dispute: Facilitate discussions amongst the parties leading to solutions, or develop consensus on next steps for Dispute Resolution.	<p>1999-BPFN-002: REED RIVER SELECTION OF RIVER BED AND SHORE LINE - Assist the parties with resolving the Issue/Matter in Dispute by providing guidance to the parties March 31, 2019.</p> <p>1999-NCN-003: EFFECTIVE DATE OF AGREEMENT - Assist the parties with resolving the Issue/Matter in Dispute prior to March 31, 2019.</p> <p>2004-BLFN-002: LAND IN SEVERALTY (MATERIAL FAILURE ALLEGATION) - Participate in negotiations with the parties in drafting a LIS Agreement for implementation.</p> <p>2007-TLEC-002: HYDRO EASEMENTS - Monitor the parties and Manitoba Hydro while discussions continue on the form of the Hydro Easement Agreement. Should discussions not produce a final agreement facilitate the Dispute Resolution process.</p>	<p>34.07(1)(c) (d) (e)</p> <p>34.09(7) (8) (9)</p> <p>38.01(5)</p>
		2016-TLEC-006: Material Failure Allegation to Comply with a Fundamental Term or Condition of the MFA: Monitor the results of the Binding Arbitration Decision.	

2	Facilitate the Mining Claims Working Group	Facilitate and Coordinate meetings amongst the parties to generate consensus on a Tripartite Agreement and Regulation under the <i>First Nations Commercial and Industrial Development Act</i> that addresses Crown owned Mines & Minerals on TLE selections. Facilitate the process to see these documents adopted by the IMC & SAC as an “Agreed Form”.	11.03 (4)
3	Assist First Nations and Municipal Governments	Provide assistance to MFA-EFNs and Municipalities as requested to assist with providing information tools and templates that both parties can utilise for MDSA.	32.02(f) 33.02(e)(vii) 34.07(1)(c)(d)
4	Participate on the ATR Advisory Committee	Investigate the Information Technology that can be used as an online project management tool for all parties to track parcels to be converted to reserve.	34.07(1)(c)

Specific Tasks:

- Coordinate and facilitate IMC meetings;
- Record and finalize IMC meeting minutes including undertakings and decisions;
- Coordinate and Facilitate SAC meetings;
- Record and finalize SAC meeting minutes;
- Facilitate and Coordinate Agreed Forms meetings for resolving TPIs/Encumbrances;
- Facilitate and Coordinate the Strategic Planning meetings
- Participate, as requested by RMs or First Nations with resolving disputes;
- Complete the IMC 2018-2019 Annual Report;
- Maintain and update the IMC Website with current and relevant information;
- Carry out the necessary tasks to complete Activities 1-4 in the work plan.

IMC Policies and Procedures Manual

MANITOBA TREATY LAND ENTITLEMENT FRAMEWORK AGREEMENT IMPLEMENTATION MONITORING COMMITTEE (IMC)

POLICIES AND PROCEDURES

Introduction

The Manitoba Treaty Land Entitlement Framework Agreement (the “FA”) contains a number of provisions setting out the roles and responsibilities of the Independent Monitoring Committee (the “IMC”) and the Senior Advisory Committee (the “SAC”) as well as procedures for dispute resolution.

Part I of this document summarizes the provisions of the FA to provide guidance in regard to the mandate and role of the IMC. Part II of the document sets out policies and procedures developed in accordance with Article 34 that are intended to complement the FA and to facilitate the resolution of issues or disputes that may arise in implementing the FA or any Entitlement First Nation’s Treaty Entitlement Agreement (“TEA”). Part II may have to be amended from time to time to respond to changing circumstances and to address new issues as this process evolves.

PART I – THE FRAMEWORK AGREEMENT

1. Establishment of the IMC – Art. 34

- Comprised of 5 members, one appointed by Canada, one by Manitoba, two by the TLEC, and one Independent Chairperson appointed by all three parties – s. 34.01
- A member of the IMC may designate in writing an alternate to attend a meeting of the IMC – s. 34.02(2)
- The parties may change their members from time to time by providing notice in writing to the other parties – s. 34.02(3)
- Quorum of IMC is 4, with at least one member representing each of the parties and the Chairperson in attendance unless a member not in attendance has agreed otherwise – s. 34.02(4)

2. Consensus Model Decision Making – s. 34.06

- Except in matters requiring the direction of the Chairperson under Articles 34, 35, and 36, the IMC will operate with and by the consensus of all of its members
- Where the IMC is unable to resolve an issue or matter in dispute, it shall refer the matter in dispute for resolution in accordance with Article 34 and 35
- The IMC “will be guided by the principle that the parties each have a continuing obligation to act in good faith in implementing this Agreement and any Treaty Entitlement Agreement (TEA) including the resolution of any issue or matter in dispute.”
- IMC may make rules of procedure to govern its operation not inconsistent with Article 34

3. *Responsibilities of the IMC – s. 34.07*

- The IMC shall be “generally responsible for facilitating the implementation of this Agreement and any Treaty Entitlement Agreements”, including:
 - (a) establishing a budget of the reasonable estimated costs of its operation for each fiscal year from April 1 to March 31;
 - (b) monitoring the progress of implementation;
 - (c) making recommendations to the parties for the resolution of any matter in dispute relating to implementation;
 - (d) resolving any issue or matter in dispute relating to implementation which is referred to it by a party or an Entitlement First Nation (EFN);
 - (e) considering the appropriate method of resolution of an issue or matter in dispute in accordance with Art. 35
- The IMC shall meet upon the call of the Chairperson subject to Subsections 34.03(1) and 34.05(1)
- The IMC shall operate within the budget unless the parties agree otherwise

4. *Technical Support and Independent Professional Advice – s. 34.08*

- The Chairperson may, where the other members agree, retain technical support and independent professional advisors, including legal counsel, from time to time as necessary to assist in the proper discharge of its responsibilities
- Technical advisors shall provide advice, guidance, opinions to the IMC and the Chairperson to assist in the resolution of disputes
- Where the members of the IMC do not agree to retain technical advisors, the Chairperson may retain technical support or advisors on behalf of himself within the established budget

5. *Responsibilities of Chairperson – s. 34.09*

- In addition to other responsibilities set out in Art. 35 and 36, the Chairperson will be responsible for the general administration of the IMC including:
 - (a) calling meetings;
 - (b) chairing all meetings;
 - (c) keeping written minutes and records of meetings and decisions of the IMC, decisions and notices of the Senior Advisory Committee (SAC), decisions and Awards of Adjudicators, and all other information necessary to complete the Annual Report;
 - (d) distributing minutes to members of IMC on timely basis;
 - (e) recommending budget of estimated costs of operation for fiscal year to IMC;

- (f) submitting to each of the parties an invoice for the reasonable costs incurred by the IMC and the Chairperson in each month;
 - (g) maintaining records of all costs and preparing annual financial statements;
 - (h) ensuring timely payment of expenditures of the IMC upon receipt of payment from parties;
 - (i) if directed by parties, engaging an independent auditor to complete audit of IMC financial affairs.
- The Chairperson shall call a meeting of the IMC at least once every 3 months or at the request of at least two members representing at least two parties – the Chairperson shall provide at least 14 days notice in writing unless all members agree otherwise
- The Chairperson shall assist the IMC in determining the sufficiency of information relating to implementation and may, if necessary, request any member of the IMC to take steps the Chairperson deems appropriate to ensure the sufficiency of that information
- In order to facilitate the resolution of issues or matters in dispute, the Chairperson may:
 - (a) propose time periods for the parties to respond to an issue or dispute;
 - (b) direct any member to submit a report to the IMC about any issue or matter in dispute and propose solutions within a time period identified by the Chairperson;
 - (c) identify strengths and weaknesses of proposed solutions to an issue or matter in dispute;
 - (d) direct members of the IMC to assist in resolving an issue or dispute by consensus;
 - (e) propose solutions to an issue or dispute
- where the IMC makes a decision on a means to resolve an issue or dispute, the Chairperson shall record the decision in the minutes or records and provide notice of the decision to the parties and any EFN specifically effected
- where the Chairperson determines the IMC is unable to make a decision on a means to resolve an issue, the Chairperson will record that no decision was made, any means recommended by the Chairperson and any direction to IMC members to consider the recommendation within a specified time period, and any response by the IMC members to the recommendations of the Chairperson
- where an issue is not resolved by the IMC, the Chairperson will refer the issue or matter in dispute to the SAC – the Chairperson may set out in writing to the SAC any means recommended by the Chairperson for resolving the issue or matter in dispute, any response of the IMC members to recommendations of the Chairperson, and the Chairperson's recommendation on the proposed time period within which the SAC should attempt to resolve the issue

- the Chairperson:
 - (a) may request and receive recommendations from any IMC member on any aspect of implementation of this Agreement or a TEA;
 - (b) will, on behalf of the IMC, provide to the President of the TLEC, the Minister of Indian Affairs, and the Minister of Northern Affairs Manitoba an annual report including: a summary of progress of implementation; recommendations of the IMC for improvement of implementation; a summary of the issues or matters in dispute which have been resolved during the reporting period; a summary of the outstanding issues or matters in dispute at the end of the period; and recommendations for improvement of implementation;
 - (c) may provide other reports to the President of the TLEC, the Minister of Indian Affairs, and the Minister of Northern Affairs Manitoba on behalf of the IMC as he deems appropriate;
 - (d) will provide an unaudited annual financial statement to the President of the TLEC, the Minister of Indian Affairs, and the Minister of Northern Affairs Manitoba on behalf of the IMC including a statement of all funds received by the IMC from the parties during the fiscal year, how funds were disbursed, and a statement of all contributions in kind to the costs of the IMC;
 - (e) the annual report for each year shall be delivered on or before June 30

6. *Senior Advisory Committee – s. 34.10*

- The SAC consists of the President of the TLE Committee, the Regional Director General (Manitoba) or the Asst. Deputy Minister (Claims and Indian Government) of DIAND, and the Deputy Minister of Northern Affairs for Manitoba
- One member of the Council for an EFN specifically effected by an issue may also participate in meetings of the SAC where that issue is addressed
- The SAC shall meet only when all members are in attendance unless a member not in attendance has agreed otherwise
- Decisions of SAC shall be by consensus
- Where the SAC makes a decision on a means to resolve an issue, it shall set its decision in writing and send it to the Chairperson who will record the decision in the minutes or records of the IMC
- Where the SAC does not make a decision on a means to resolve an issue within the time period proposed by the Chairperson or such longer period that the SAC may agree on, the SAC shall provide notice in writing to the Chairperson who will record in the minutes or records of the IMC that the SAC made no decision on a means to resolve an issue and the appropriate dispute resolution mechanism to be used to resolve the issue where the SAC agrees on the mechanism to be used

- Where the SAC provides notice in writing to the IMC as above, the IMC will within 30 days: (a) where the SAC agrees on a means to resolve an issue, refer the matter for resolution in accordance with that agreement; or (b) where there is no agreement by the SAC, refer the matter to an appropriate method of dispute resolution in accordance with s. 35.02
- Where the IMC does not refer the issue for dispute resolution within 30 days, the Chairperson shall refer the matter for dispute resolution in accordance with s. 35.02

7. *Dispute Resolution – Art. 35*

- S. 35.01 provides for the identification by the IMC of persons qualified in alternative dispute resolution to act as Adjudicators, the appointment of Adjudicators from time to time to resolve issues or matters in dispute, and the determination of rates of remuneration by the IMC
- S. 35.02 defines the “methods of dispute resolution” as (a) fact finding; (b) mediation; (c) non-binding arbitration; and (d) binding arbitration in accordance with the *Commercial Arbitration Act* – the resolution of issues or disputes shall be through a *progressive process* from fact finding to binding arbitration unless determined otherwise by the SAC in accordance with para. 34.10(6)(b) or by the Chairperson in accordance with para. 34.10(7)(b)
- All matters resolved by binding or non-binding arbitration will be in writing by the Adjudicator
- An Adjudicator appointed to resolve an issue may not be appointed to deal with the same issue or dispute unless all parties, including the EFN, agree
- S. 35.03 sets out the procedure for dispute resolution other than by binding arbitration – subject to directions provided by the IMC or SAC, the Chairperson has the responsibility in consultation with members of the IMC to:
 - (a) Prepare written directions to the Adjudicator for the dispute resolution process;
 - (b) Provide the Adjudicator with information about the issue or matter in dispute, including a written definition of the issue, any report on or proposed solution of the issue submitted to the IMC by any party, and any means of resolving the issue recommended by the Chairperson;
 - (c) To determine a time period for completion of dispute resolution recognizing that the parties agree the following time frames should apply unless the issue is complex: (i) 3 days for fact finding; (ii) 5 days for mediation; and (iii) 7 days for binding or non-binding arbitration
 - (d) To determine other appropriate procedures to ensure a timely and cost efficient resolution of the issue
- Procedure for Binding Arbitration – s. 35.04
 - The IMC shall prepare and submit to the Adjudicator a reference setting out in writing the questions to be determined and any other terms of reference to define his/her jurisdiction

- Where the IMC does not prepare and submit a reference on a timely basis or the Chairperson refers the matter for binding arbitration, the Chairperson shall prepare and submit a reference to the Adjudicator after consulting with other members of the IMC
- The Adjudicator shall make an Award addressing the issue which may include a determination of the facts, an interpretation of the FA or TEA, a determination that one or more of the parties or EFNs is required to take certain action to give effect to the FA or TEA, or a finding that an Event of Default has occurred
- An Adjudicator shall not have jurisdiction to make an Award which:
 - (a) requires any of the parties or an EFN to change any of its policies but the Adjudicator may identify inconsistencies or deficiencies in such policies and make recommendations which affect the implementation of the FA or TEA – the party which receives such recommendations shall have due regard for its obligations under the FA or TEA
 - (b) subject to s. 36.04(2), requires any party or EFN to make a payment for damages or loss alleged to have been suffered
- the resolution of an issue referred to binding arbitration that is resolved by the consent of the parties and any EFN involved shall issue as an Award
- Appeal of Binding Arbitration Awards – s. 35.05
 - An Award, other than one issued as a result of the matter being resolved by consent, may be appealed to the Manitoba Court of Queen's Bench within 30 days of the date of the Award on the grounds of: (a) failure of the Adjudicator to consider the matter fairly; (b) bias; (c) failure of Adjudicator to act within jurisdiction; (d) error of law, including an error in the interpretation of the FA or TEA
 - The Court of Queen's Bench may (a) dismiss the appeal; (b) allow the appeal and remit the matter to the Adjudicator or IMC to appoint a different Adjudicator to be reconsidered; (c) allow the appeal and substitute its decision in place of the Award where this would reasonably resolve the issue; and (d) make an order for costs
 - There is no right of appeal from a decision of the Court of Queen's Bench
- Default of Obligations in Dispute Resolution Methods – s. 35.06
 - Where a party withdraws the issue or matter in dispute, the method of dispute resolution will end
 - Where a party does not comply with a time period for the provision of information to the Adjudicator, the method of dispute resolution may proceed

- Where a party does not appear at any hearing, the method of dispute resolution will proceed based on the information before the Adjudicator and a finding, direction, decision or Award may be rendered
 - Costs of Dispute Resolution – s. 35.07
 - The costs of dispute resolution will be paid equally by the parties involved except where a party does not comply with time periods to provide information or does not appear at a hearing in which case the Adjudicator may determine the payment of costs as may be reasonable in the circumstances taking into account the Manitoba Court of Queen’s Bench rules on costs and the principle that the unsuccessful party normally pays the reasonable costs of the proceedings and other parties
 - The Adjudicator may determine the allocation and payment of costs of binding arbitration
 - Where a binding arbitration is resolved by consent of the parties, the Adjudicator may determine costs unless the parties have agreed otherwise
 - Record and Report of Issues or Matters in Dispute and Events of Default – s. 35.08
 - The Chairperson will maintain a record of all issues or matters in dispute and Events of Default and the means identified to resolve them
 - The record may be used to identify problem areas in implementation which require consideration by the parties, as information to assist the Adjudicator, or for the annual report or any other reports furnished by the IMC
- 8. *Material Failure – Art. 36***
- Where a party or EFN alleges failure to materially comply with a fundamental term or condition of the Framework Agreement or TEA, notice in writing shall be provided to the other party containing:
 - (a) identification of the fundamental term or condition of the Framework Agreement or TEA;
 - (b) a description of the circumstances of alleged material failure; and
 - (c) a statement that
 - (i) the party receiving the notice may remedy the material failure or refer the matter to the IMC within 30 days of receipt of the notice; and
 - (ii) where the matter is not remedied within 30 days the matter may be referred to binding arbitration to determine whether the party has failed to materially comply with that term or condition
 - The party in receipt of such notice may, within 30 days, remedy the alleged material failure or refer the matter to the IMC

- Where a party in receipt of such notice refers the matter to the IMC, the IMC shall consider the matter on a priority basis within 30 days of the matter being referred to it
- Where a party in receipt of such notice does not remedy the matter within 30 days, the party or EFN which has provided notice of an alleged material failure may refer the matter directly to the Chairperson by notice in writing
- Where the IMC does not resolve the matter on a priority basis or a matter is referred to the Chairperson in accordance with subs. (4), the Chairperson shall refer the matter directly to binding arbitration to determine whether the party or EFN against which the allegation has been made has failed to materially comply with a fundamental term or condition
- Matters Constituting Events of Default – s. 36.02
 - The following constitute Events of Default by a party or EFN:
 - (a) failure to comply with any Award of an Adjudicator in binding arbitration within the time period specified or, where no time period is specified, within a reasonable time period provided that no appeal of the Award has been filed pursuant to subs. 35.05(1) or the failure of that party to comply with the Award does not result from the failure of any other party to undertake or perform any action as an obligation under the Framework Agreement or TEA or a condition precedent to complying with the terms of the Award;
 - (b) an Adjudicator in binding arbitration has determined that (i) a party or EFN has, repeatedly and in a manner which clearly establishes a pattern, materially failed to comply with its obligations under the Framework Agreement or TEA; and (ii) the failure of a party to comply with its obligations was not the result of a party, an EFN or any Person to undertake or perform any action as an obligation or condition precedent to complying with the Framework Agreement or TEA
 - (c) a party or EFN has failed to comply with a decision of the Manitoba Court of Queen's Bench made in accordance with Subs. 35.05(2) within the time period specified or within a reasonable time period if none is specified, provided that the failure of that party to comply with the decision does not result from the failure of any other party to undertake or perform any action as an obligation under the Framework Agreement or TEA or a condition precedent to complying with the terms of the decision
 - (d) an Adjudicator in binding arbitration has determined that a party or an EFN has materially failed to comply with a fundamental term or condition of the Framework Agreement or TEA and has not remedied that material failure within 30 days of receipt of notice in writing from another party in accordance with Subs. 36.01(1)
- Identification of Means of Resolving Events of Default – s. 36.03
 - Any party or EFN that admits, or is determined by an Adjudicator to have committed, an Event of Default shall determine and identify reasonable means of remedying the Event of Default

- Loss or Damage as a Result of an Event of Default – s. 36.04
 - Where an Adjudicator has determined that party or EFN has committed an Event of Default, a party or EFN which has suffered loss or damages may refer the matter of that loss or damage to the IMC as an issue or matter in dispute
 - Where an issue or matter in dispute relating to loss or damages suffered is referred to an Adjudicator to be resolved by binding arbitration, the Adjudicator may make an award setting damages to be paid by the party or EFN committing the Event of Default to the party or EFN suffering the loss or damages

9. Issues or Matters in Dispute Which May be Referred to IMC

The following is a summary of provisions in the Framework Agreement which provide for issues or matters in dispute to be referred to the IMC for dispute resolution. This summary is not exhaustive:

- **3.01(5)** – Any issues or circumstances encountered in and considerations affecting the Selection or Acquisition of land which are not addressed by the General Principles for Land Selection or Acquisition may be referred to the IMC if the parties are unable to address such issues on their own
- **3.02(6)** – Disputes between Manitoba and an EFN re: selection of a parcel less than 1,000 acres
- **3.03(4)** – Disputes between Manitoba and an EFN re: determination of a “reasonable use area” for Tourist Lodge or Outcamp
- **3.03(30) and (31)**– Where there is a conflict between the Selection of Crown Land within a Forest Plan and an area to be harvested or subject to road construction within 3 years, the IMC may assist an EFN and Forest Operator in negotiating an agreement
- **3.03(33)** – The IMC may resolve a dispute where Canada and Manitoba considers that a selection within land subject to forest plans is not eligible for selection
- **3.03(37)** – The Mathias Colomb Cree Nation may refer issues pertaining to the selection dated June 27, 1996 to IMC on priority basis if agreement not reached with Forest Operators within one year of date of execution of its TEA
- **3.11** – Any issues or matters in dispute relating to the Selection or Acquisition of land not resolved by the parties
- **4.02** – Requests for the extension of an EFN’s land selection period
- **6.02(8)** – Where Canada or Manitoba advises an EFN that a selection or acquisition is not eligible to be set apart as reserve in accordance with the Principles set out in the Framework Agreement, the matter may be referred to the IMC if not resolved by the parties within 120 to 180 days

- **8.06** – Where Canada does not set apart land as a reserve despite a recommendation by the Minister of Indian Affairs to do so
- **9.01(6)** – Where the parties are unable to reach agreement on the nature and extent of a right to land in severalty
- **11.03(5) and (6)** – Where an EFN and a third party owning mineral rights are unable to reach an agreement with respect to reasonable access to the surface of land selected or acquired by an EFN, the IMC may determine the terms and conditions for reasonable access
- **20.11(6) and 21.11(7)** – Where the opinion of the auditor of the Third Party Interest (TPI) and Implementation Accounts are not unqualified or where it is to the effect that the TLEC is not operating the Accounts in accordance with the Framework Agreement
- **27.03(5)** – If Manitoba breaches any of its obligations under the Framework Agreement, Canada or any EFN may refer the matter to the IMC
- **34.07(1)(d)** – Any issue or matter in dispute relating to the implementation of the Framework Agreement or any Treaty Entitlement Agreement may be referred to the IMC by a party or an EFN
- **36.01** – Where a party or an EFN alleges that another party has materially failed to comply with a material term or condition of the Framework Agreement or a Treaty Entitlement Agreement

As a general comment, it is important to carefully review the specific provisions of the Framework Agreement to ensure that the parties have fulfilled any procedural requirements before referring a matter to the IMC. For example, certain provisions may set out notice requirements to other parties involved in the dispute, impose a requirement to consult, set a specified time period to remedy a problem before a matter may be referred to dispute resolution, or require that the parties exhaust reasonable efforts to resolve the issue on their own before referring a matter to the IMC.

PART II – IMC POLICIES AND PROCEDURES

10. *IMC Meetings*

- The main responsibilities of the IMC are two-fold in nature:
 - (i) to monitor the progress of implementation; and
 - (ii) to facilitate the resolution of any issue or matter in dispute relating to implementation referred to it by a party or an EFN
- The Chairperson shall generally call a meeting of the IMC every 4 – 6 weeks, and at least once every 3 months by distributing written notice and a draft agenda to all members of the IMC, or by agreeing on the next meeting date at an IMC meeting. The required quorum is 4, with at least one member representing each of the parties and the Chairperson in attendance unless a member not in attendance has agreed otherwise.

- With respect to Alternate Representatives of the Parties, Alternate Representatives may be appointed for up to a one year period subject to further notice, rather than on a meeting by meeting basis, however prior to a meeting whereat an Alternate Representative will be serving as the Party representative, written notice is to be provided to the Chairperson and the other Party representatives.
- Other persons involved in the implementation of the Framework Agreement and any TEA may be invited by members of the IMC to participate in the meetings to address a matter and thereby assist the IMC in monitoring the progress of implementation or resolving any issue or matter in dispute. Where an IMC member intends to bring other personnel to the IMC meeting, they should notify the Chairperson and other IMC members in writing at least two working days prior to the meeting. For example, the IMC members may invite representatives from Manitoba Hydro, the Canada Customs and Revenue Agency, Department of Finance, etc. where it is necessary to discuss issues within their respective areas of responsibility. The involvement of non IMC member participation in the discussion, including Alternate Representatives identified by the Parties who are not serving as their Party's representative for that specific meeting, is limited to providing information, and is subject to approval by the Chairperson. Where the IMC considers it appropriate, they may invite such persons to actively participate in a discussion of such issues but they may not participate in any decisions made by the IMC. Where appropriate, such decisions may be made during *in camera* sessions of the IMC.
- The Chairperson is to distribute a draft agenda setting out the proposed items for discussion to members of IMC two weeks before the scheduled meeting date.
- The draft agenda may contain three parts to assist the IMC in discharging its responsibilities:
 - (i) a section for general status reports from the parties in relation to the community approval process, land selections, acquisitions, the reserve creation process, responses to undertakings accepted by a Party at a previous IMC meeting, and any other matter that will assist the IMC in monitoring the progress of implementation of the Framework Agreement and any TEA;
 - (ii) a section for discussion of specific issues raised by the Chairperson, an IMC member, or any of the parties to the Framework Agreement or TEA for discussion purposes at an IMC meeting; and
 - (iii) a section providing for discussion of general issues relating to the administration of the IMC, such as review of meeting summaries, reviewing budgets, scheduling meeting dates, and other such matters.
- Where the Chairperson, an IMC member, or any of the parties wishes to raise a specific issue for discussion at an IMC meeting, they shall respond to the Chairperson's circulation of a draft agenda with a written request that a topic be added to the agenda, and when requested by the Chairperson provide a brief written summary of the issue and any relevant documents to the Chairperson one week prior to the next IMC meeting wherever practicable. The summary and documents shall be distributed to IMC members and they should provide sufficient information to allow for meaningful discussion of the issue among members of the IMC. The requirement to provide a summary of the issue in advance may be dispensed with by the Chairperson where he is satisfied

that IMC members already have sufficient information to allow for meaningful discussion of the issue.

- Where a specific issue has been raised for discussion, other members of the IMC should furnish a brief written reply to facilitate discussion at the meeting.
- In some cases, issues or matters in dispute may be resolved by agreement of the parties at an operational level. In other cases, the IMC may be asked to make a decision with respect to the issue by consensus among members of the IMC. Where such issues cannot be resolved by agreement of the parties or by consensus, they may be referred to dispute resolution in accordance with the Framework Agreement.
- The representatives of the Parties are to make best efforts to submit their response to their undertakings from previous IMC meetings to the Chairperson at least one week in advance of the next IMC meeting to facilitate meaningful discussion on the matter at that meeting. Upon receipt, the Chairperson is to ensure that representatives of all other Parties receive a copy of these submissions. If the party is not able to submit documentation in advance of the meeting, they will request extended time on the Agenda to review the document with IMC members, so as to ensure that decisions are not unduly delayed.
- The Chairperson is to distribute a draft summary of the meeting to all members of the IMC within 1 week of the meeting. The IMC members are to review and provide any comments or suggested revisions to the Chairperson within 1 week of receipt. The Chairperson is then, if required, to circulate a revised second draft to all members of the IMC within 3 days, and the IMC members are to review and provide any comments within 2 days of receipt. Wherever possible, the meeting summary will be finalized and confirmed within 3 weeks.
- While all IMC members are to respond to draft meeting summaries which have been distributed by the Chairperson, by either providing comments or confirming that they are in agreement with the meeting summary; lack of a response by a Party representative within these target time frames will be interpreted by the Chairperson and the IMC as agreement with the meeting summary.
- In appropriate cases, the Chairperson may direct that the parties provide a written report and documents to facilitate discussion of a certain issue within a time period identified by the Chairperson. Generally, the role of the Chairperson is to facilitate discussion and to seek consensus among IMC members, but the Chairperson may take a proactive role in any discussions by identifying the strengths and weaknesses of proposed solutions or making recommendations to the parties on how to resolve a particular issue or matter in dispute.
- When an issue is not resolved by consensus among the IMC or SAC and it is necessary to appoint an Adjudicator, the IMC shall include a written definition of the issues in dispute, any report on the proposed solution of the issue submitted by any party, and any means of resolving the issue recommended by the Chairperson. Any admissions or reports and information provided by the parties on a “without prejudice” basis shall not be disclosed to the Adjudicator unless the parties consent in writing to the release of such documents.

APPROVED BY THE IMC AND CHAIRPERSON ON October 20, 2015

This document has been reviewed and approved by the IMC as indicated by the signature of the IMC Chairperson.



IMC Independent Chair

Attachment #1: IMC Process Upon Receipt of an Issue or Matter in Dispute (I/M)

IMC PROCESS UPON RECEIPT OF AN ISSUE OR MATTER IN DISPUTE (I/M)

There are three main documents to be reviewed in determining the steps that IMC normally follows upon receipt of a referral of an “issue or matter in dispute” (I/M):

I) DOCUMENTS CONSULTED by the IMC:

- 1) MFA: The MFA is the Agreement that describes the roles and responsibilities of the IMC, and any and all other documents need to be consistent with the MFA.
- 2) Policies and Procedures Manual: The Implementation Monitoring Committee may from time to time make rules of procedure to govern its operation not inconsistent with Article 34, MFA. (MFA 34.06(4))

- The IMC Policies and Procedures Document (June 23, 2010) has been adopted by the IMC pursuant to MFA Article 34.06(4)
- The IMC Policies and Procedures Document is divided into two parts.

Part I summarizes the provisions of the MFA to provide guidance in regard to the mandate and role of the IMC.

Part II sets out policies and procedures developed in accordance with MFA Article 34 that are intended to;

- a) complement the MFA, and
 - b) facilitate the resolution of issues or matters in dispute that may arise in implementing the MFA, or the TEA of any EFN.
- 3) This Protocol developed by the IMC for the Referral and Review of an I/M: The Protocol for the Referral and Review of an I/M is intended to be utilized by a Party or EFN when either is referring an I/M to the IMC. It is essentially a full description of the I/M from the point of view of the referring Party/EFN. The protocol is intended to ensure that all of the relevant data is submitted to enable the referral to be dealt with as soon as possible.

II) PURPOSE:

When a referral is made by a Party or an EFN, the IMC’s responsibility is to resolve any issue or matter in dispute relating to the implementation of the Agreement or any TEA (Article 34.07(1)(d) and consider the appropriate method of resolution of an issue or matter in dispute relating to the implementation of the Agreement or any TEA in accordance with Article 35 of the Agreement 34.07(1)(e).

III) IMC DECISION MAKING:

- 1) Except in matters requiring the direction of the Chairperson, the IMC operates with and by the consensus of all of its members. (34.06(1))
- 2) Where the IMC is unable to resolve an I/M on a consensual basis, it shall refer the I/M for resolution as provided in MFA Articles 34 and 35. (34.06(2))
- 3) In order to facilitate the resolution of the I/M, the Chairperson may take a number of steps set out below (34.09(5))
 - a) Propose time periods for Parties to respond to the referred I/M,
 - b) Direct any IMC member to submit a report about the I/M and propose solutions to that I/M within time periods identified by the Chairperson,
 - c) Identify strengths and weaknesses of all solutions proposed to resolve an I/M,
 - d) Direct the IMC members to assist in resolving an I/M by consensus,
 - e) Propose solutions to an I/M.

IV) STEPS FOR CONSIDERING AN I/M REFERRAL LEADING TOWARDS CONSENSUS:

- 1) While there is a need for IMC consistency when considering referrals, there is also a need for flexibility to ensure the review process is best suited for the specific referral.
- 2) Depending upon the characteristics of the referral, a number of processes/methods have been followed with a goal of arriving at an IMC consensus on how the I/M should be resolved. When these initiatives fail to reach consensus, the IMC is to consider the appropriate method of resolving the I/M in accordance with MFA Article 35.
- 3) Generally, there is a need for a Referral Protocol to be developed to;
 - a) precisely determine the I/M,
 - b) assemble of the relevant facts,
 - c) assessment/interpretation of the applicable provisions of the MFA,
 - d) identify options or alternatives for resolution of the issue, and
 - e) consider the recommendations of the Chairperson.

In the event the IMC is unable to resolve an I/M, the Chairperson is obliged to provide the SAC with the Referral Protocol containing the above stated information and results of the IMC review of the referral.

- 4) The processes/methods used to reach consensus usually include:
 - a) Ensure all IMC representatives have copies of the referral, Referral Protocol, and relevant materials.
 - b) Review the referral submitted.

- c) Discuss the referral at the next IMC Meeting, as a priority, in order for IMC to decide upon a course of action, and at that meeting discuss;
 - (i) Review the specific provisions of the MFA to ensure that the referring Party/EFN has fulfilled any procedural requirements before referring an I/M to IMC. (page 10 of Policy and Procedures Manual) For example certain provisions may;
 - set out notice requirements to the other Parties involved in the dispute,
 - impose a requirement to consult, (See Appendix “A” for list of MFA provisions requiring consultation)
 - set a specified time period to remedy a problem before a matter may be referred to dispute resolution, or
 - require that the Parties exhaust reasonable efforts to resolve the I/M between themselves before referring the I/M to IMC, and to
 - (ii) Ensure that all of the information required to make an informed analysis of the I/M is contained therein, or decide if this should be requested of the referring Party/EFN,
 - (iii) Determine if an operational meeting should be convened, and attended by the Chairperson to allow the Parties an opportunity to review and resolve the I/M prior to proceeding with the reference to IMC, and to ensure that the matter is not being referred prematurely,
- d) In general the Chairperson (under 34.09(5)) requests all Parties to provide the same information as asked of the referring Party in the “Protocol for the Referral and Review of an I/M”, including;
 - (i) Definitions
 - (ii) The Issue or Matter in Dispute (in the other Parties view)
 - (iii) The Facts (in the other Parties view)
 - (iv) Interpretation of the MFA (in the other Parties view)
 - (v) Proposed Resolution and Options Considered (in the other Parties view)
 - (vi) Interpretation of the MFA by the Other Involved Parties
 - (vii) Background Information (correspondence, maps, meeting summaries, and any other documents considered important by the other Parties when IMC considers the referral)
- e) Depending on the nature of the I/M, and the views submitted by the Parties to the I/M, the Chairperson may recommend that; (i) a discussion paper may be developed to analyze the situation and clarify linkages to the MFA provisions, or (ii) a Focus Group meeting be convened to discuss the matter in detail, clarify misunderstandings if any, and arrive at a consensus.
- f) If the exchange of discussion paper drafts or Focus Group meetings leads to a common understanding on matters upon which the Parties previously held divergent

perspectives and opinions, the Parties will have reached consensus on the referral in accordance with the IMC Policy and Procedures Manual and will advise the referring Party. It may also be deemed appropriate and beneficial to issue an IMC Bulletin on the topic as per the IMC Policy and Procedures Manual. Once the referral has been closed the Parties will be sent a letter advising them of the decision from the IMC and the referral will be closed.

- g) If the IMC discussions of the Chairperson's Referral Protocol, and/or discussion paper and/or Focus Group discussions do not result in a consensus; the Chairperson may update his/her summary document, as per the IMC and Focus Group discussions, and add two additional sections, And circulate this updated summary document to IMC with a time frame for comments.
- h) If the updated Chairperson's summary document does not result in a consensus, the Chairperson's summary document serves as the information required pursuant to MFA 34.09(7)&(9) for a referral of the I/M to SAC. (i.e. the I/M summary, any means recommended by the Chairperson for resolving the I/M for consideration of the members of the IMC and any direction to the members to consider the recommendation within a specified time period, any response of the IMC members provided to a recommendation of the Chairperson, and the Chairperson's recommendation on the proposed time period within which the SAC should attempt to resolve the I/M.)

(V) PARTICIPATION IN THE DISPUTE RESOLUTION PROCESS INCLUDING NOTICES TO WITHDRAW, REQUEST TO PLACE MATTERS IN ABEYANCE AND THE ABANDONMENT OF REFERRALS

The members of the Implementation Monitoring Committee will be guided by the principle that the parties each have a continuing obligation to act in good faith in implementing the Agreement and any Treaty Entitlement Agreement, including the timely resolution of any issue or matter in dispute. As such the active participation of the parties to a referral is important.

Notice of Withdrawal:

The term withdraw in the context of an IMC Referral means a Referring Party to the Referral has chosen to permanently close the Referral thus removing the Referral from the IMC process.

Where a Party to a Referral has chosen to withdraw their referral, a letter from the Party stating they wish to withdraw the referral is sufficient for the Chairperson to close the referral file. The Chairperson will provide notice and date of closure to the Parties of the withdrawal and will note its closure in the Annual Report.

Request to place an I/M in Dispute into Abeyance:

The term abeyance is defined by the IMC as being when a matter enters a period of temporary inactivity. A referral that has been referred to the IMC for dispute resolution can be placed into abeyance at the request of the referring party for one year when ongoing negotiations directly related to the resolution of the subject matter of the referral continue between the Parties involved in the initial Referral.

To ensure the necessary approvals have been obtained, where a Party requests that a referral be placed in abeyance, a letter confirming that the subject matter of the referral is in active negotiations between the parties, will be required prior to the IMC agreeing to place the matter into abeyance.

As an abeyance is a temporary period of inactivity, the Chairperson will seek confirmation at the one year anniversary of the matter being placed into abeyance that: (a) the Referring Party wishes to continue the abeyance period and that (b) the other party is not opposed to the approval of a further abeyance period. Where there is no opposition to the extension, the Chairperson will note in the referral file and in the Annual Report that a further one-year abeyance period was granted.

If the Referring Party requests a further extension of a referral in abeyance and the opposing Party does not agree with the request for an extension then the Chairperson may facilitate the resolution in accordance with Article 34.09(5). The Chairperson also has the ability to deny the request for an extension where the Parties have not demonstrated action on the activities to resolve the issue or participation in the resolution of the Referral that is in abeyance.

In the event that the Protocol for the Referral and Review of an I/M in dispute or the corresponding response document from the Party(s) to the Referral are incomplete or the IMC has not received any requested information from the Parties to the Referral in order to determine the next steps to address an I/M, the IMC can place the Referral into abeyance for a period to be determined by the Chairperson, which will not exceed 8 months.

Where a matter is to be referred to Binding Arbitration the Chairperson shall give reasonable notice of 30 days for a response to be provided confirming to proceed with the process step. Where the IMC the Chairperson receives notice from the referring Party indicating that they are not prepared to continue to Binding Arbitration the IMC will close the file.

Where an I/M has been submitted to IMC and subsequently the referring party proceeds to engage in other forms of dispute resolution outside of the process provided in the Framework Agreement, such as litigation, the presumption – based on the principle that the same matter cannot proceed simultaneously in two venues, and the principle against venue picking - will be the party wishes to close their Referral. To ensure the record reflects this, the IMC will require the referring party to indicate if they are closing the Referral, and if they wish to actively maintain the Referral, they will be requested to identify how the Referral is unique from the matter proceeding outside of the IMC.

The IMC will then seek a response from the respondent party to confirm that the matters being disputed are distinct and where the respondent party agrees that the matters are distinct and agrees that the matter can be placed in abeyance, the IMC will approve a one-year abeyance period. Further abeyance periods will be subject to annual review and granted by the Chairperson as per Article 34.09(5). The Chairperson also has the ability to deny the request for an extension where the Parties have not demonstrated action on activities or participation in the resolution of the Referral that is in abeyance. Seeking independent legal advice to assist with this decision as per the MFA.

ABANDONMENT OF A REFERRAL:

The term abandon is defined by the IMC as a total desertion or absolute relinquishment. Where the IMC and/or Chairperson has made repeated attempts (a minimum of four (4) attempts over a maximum of two (2) years to obtain necessary information from a referring Party and 60 days has lapsed from the time of the last contact attempt, the IMC/Chairperson will consider the Referral as having been abandoned by the referring Party.

The Chairperson will send a letter to the Parties/EFN involved in the I/M in dispute advising that the I/M has been formally closed due to abandonment and will report the closure of the file in the annual report.

PROCEDURE FOR CLOSING A REFERRAL

When a referral file is being closed the following steps will be carried out by the IMC:

1. The IMC will document in the minutes that a decision has been reached to close the file;
2. A letter will be sent to both the referring Party and the Party to the referral indicating how a decision was reached to close the file;
3. The IMC will draft a Bulletin outlining the results of the decision and how this decision was reached i.e., Arbitrators ruling, Party's agreed to resolution, IMC reached a consensus, SAC reached a consensus.

Appendix "A"

List of MFA provisions requiring consultation:

The MFA references consultation requirements for Parties, EFNS, and outside related interest groups in a number of MFA provisions. These include the following:

3.03(4)(a)
3.03(8)(a)(iv)
3.03(34)
3.08(1)(b)
3.08(6)
12.04 – heading
12.04(2)
12.04(3)
12.04(4)
12.04(5)
12.08(5)(a)
12.09(2)
22.01(2)

22.02(2)

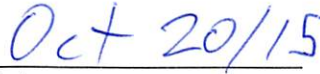
35.03

35.04(2)

Schedule "H" – 3.02(b) and 4.01(b)



Laren Bill
IMC Independent Chairperson



Date

Manitoba Sustainable Development Letter

April 4, 2018



IMC

IMPLEMENTATION MONITORING COMMITTEE MANITOBA FRAMEWORK AGREEMENT TREATY LAND ENTITLEMENT

April 4, 2018

Lori Stevenson
Director of Lands
Manitoba Sustainable Development
Lands Branch
Box 20000,
123 Main Street W.
Neepawa, MB
R0J 1H0

VIA Email: lori.stevenson@gov.mb.ca

Dear Lori Stevenson:

Re: Buffalo Point First Nation Birch Point Recreation Park Selection – Arbitration Decision

I am writing as a follow-up to the meeting that we, including representatives from TLEC and MINR held with Buffalo Point First Nation (BPFN) on February 1, 2018 to discuss the issues regarding BPFN TLE selections. The one selection that we discussed in particular was the Birch Point selection.

I wanted to clarify some of the information that was presented at the meeting, in particular the map depicting the selection of the Birch Point. When reviewing the original selection map it is clear that the selected area does in fact include the boat launch and parking area as the boundary of the selection is up to the edge of the water. I can understand how there can be an error in the mapping that you had provided at the meeting given that the original selection map is done at a 1:50,000 scale. When reviewing the maps on file it is apparent that the area of the Birch Point Recreational Park does not include the boat launch or parking lot.

Since the Arbitrator rendered a decision in December 22, 2016 stating that:

the Birch Point selection is eligible to be set apart as reserve in accordance with the Principles for Land selection and Acquisition, having regard to the wording of subsection 3.03(6) of the Manitoba Treaty Land Entitlement Framework Agreement.

Manitoba has had an entire year to have a discussion with Buffalo Point First Nation and has not constructively done so until the February 1, 2018 meeting. It is clear that Manitoba has not used its best efforts as is referred to in the MFA-TLE in attempting to address Buffalo Point First Nations Treaty Land Entitlement as a result of filing a protective appeal to hold onto Manitoba's position and

interest in the Recreation Park. The Recreation Park is not protecting a significant habitat or significant species and the effort being placed on protecting the park appears to be unreasonable.

In an effort to move this issue forward I arranged a meeting with NRCan and Buffalo Point First Nation to map out the interests that Manitoba is claiming, as well as the selection the way Buffalo Point First Nation has originally intended the boundary to be located. There are additional questions that require clarification as a result of this meeting and a map is attached. The main one in particular is that the road 308 leading to the park does not appear to be a Provincial Highway and is not registered in the Crown Land Registry. As a result of this information it is also clear that it is available for selection since the road does not fit the criteria under 13.01 of the MFA-TLE. Specifically, Manitoba Highways does not have jurisdiction over this portion of land.

It is important that the parties meet to clarify these issues in relation to the selection and to negotiate in good faith. This issue has prolonged far too long and should be placed as a priority for Manitoba to resolve.

I look forward to the status update from Manitoba on reaching a resolution to this issue with Buffalo Point First Nation.

Regards,



Laren Bill
Independent Chairperson
Implementation Monitoring Committee

Encls. (1)

- c. IMC
Councillor Herman Green, BPFN
Linda Reimer, TLEC
Chelsea Silva, MINR

2018 - 2019 Three Party Annual Work Plan Results

2018/2019 Work Plan Roll Up Revised based on Comments from the Parties on April 12-2019	Q1 April 01 to June 30 Q2 July 1 to September 30 Q3 October 1 to December 31 Q4 January 1 to March 31	Schedule A to E Definitions: Refer to attached Appendix A.	ARB = Arbitration Parcels	
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Barren Lands	Paskwachi Bay PR 394 (3PR)	80.56	1	2.37b ISC submits MO Submission to HQ	2.37b Met August 29,2018						Set apart as reserve.	A	ARB	EFNP	Complete
Bunibonibee	Jacob's Point (amended) (1-07)	10.03	1	2.37B ISC submits MO Submission to HQ 2.38 INAC MO or PCO establishes reserve		2.35 MB approves transfer by OIC.	2.35 Met Sept 5, 2018.				ISC received the signed original PTUA on March 29, 2019. MO package under review.	A		EFNP	Complete
Bunibonibee	Jacob's Point (2-2000)	52.71	1	2.37B ISC submits MO Submission to HQ 2.38 INAC MO or PCO establishes reserve		2.35 MB approves transfer by OIC.	2.35 Met Sept 5, 2018.				ISC received the signed original PTUA on March 29, 2019. MO package under review.	A			Complete
Northlands	Putahow Lake Site A (15-04A)	1,726.52	1	2.33 ISC forwards legal description to MB 2.37B ISC submits MO Submission to HQ 2.38 INAC MO or PCO establishes reserve	2.33 Met on January 18, 2019. 2.37B Met on March 27, 2019	2.35 MB approves transfer by OIC.	2.35 Met March 22, 2019.				MO recommended to HQ March 27, 2019.	A			Complete
Northlands	Putahow Lake Site B (15-04B)	1,159.55	1	2.33 ISC forwards legal description to MB 2.37B ISC submits MO Submission to HQ 2.38 INAC MO or PCO establishes reserve	2.33 Met on January 18, 2019. 2.37B Met on March 27, 2019	2.35 MB approves transfer by OIC.	2.35 Met March 22, 2019.				MO recommended to HQ March 27, 2019.	A			Complete
Northlands	Putahow Lake Site C (15-04C)	468.34	1	2.33 ISC forwards legal description to MB 2.37B ISC submits MO Submission to HQ 2.38 INAC MO or PCO establishes reserve	2.33 Met on January 18, 2019. 2.37B Met on March 27, 2019	2.35 MB approves transfer by OIC	2.35 Met March 22, 2019.				MO recommended to HQ March 27, 2019.	A			Complete
Northlands	Putahow Lake Site D (15-04D)	479.42	1	2.33 ISC forwards legal description to MB 2.37B ISC submits MO Submission to HQ 2.38 INAC MO or PCO establishes reserve	2.33 Met on January 18, 2019. 2.37B Met on March 27, 2019	2.35 MB approves transfer by OIC	2.35 Met March 22, 2019.				MO recommended to HQ March 27, 2019.	A			Complete
Northlands	Putahow Lake Site F (15-04F)	1,992.28	1	2.33 ISC forwards legal description to MB 2.37B ISC submits MO Submission to HQ	2.33 Met on January 18, 2019.	2.35 MB approves transfer by OIC	2.35 Met March 22, 2019.				MO recommended to HQ March 27, 2019.	A			Complete
Northlands	Thlewiaza Lake (22-04)	1,488.61	1	2.33 ISC forwards legal description to MB 2.37B ISC submits MO Submission to HQ 2.38 INAC MO or PCO establishes reserve.	2.33 Met on January 18, 2019. 2.37B Met on March 27, 2019.	2.35 MB approves transfer by OIC	2.35 Met March 22, 2019.				MO recommended to HQ March 27, 2019.	A			Complete
Norway House	Gunisao Lake A (13-01A)	295.54	1	2.37b ISC submits MO Submission to HQ	2.37b Met September 17, 2018	2.35 MB approves transfer by OIC	Met June 13, 2018				Set apart as reserve.	A	ARB		Complete
Norway House	Gunisao Lake B (13-01B)	2,367.27	1	2.37b ISC submits MO Submission to HQ	2.37b Met September 17, 2018	2.35 MB approves transfer by OIC	Met June 13, 2018				Set apart as reserve.	A	ARB		Complete

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Norway House	Gunisao Lake C (13-01C)	808.03	1	2.37b ISC submits MO Submission to HQ	2.37b Met September 17, 2018	2.35 MB approves transfer by OIC	Met June 13, 2018				Set apart as reserve.	A	ARB		Complete
Norway House	Gunisao Lake D (13-01D)	10.13	1	2.37b ISC submits MO Submission to HQ	2.37b Met September 17, 2018	2.35 MB approves transfer by OIC	Met Sept 5, 2018				Set apart as reserve.	A	ARB		Complete
Norway House	Painted Stone Portage North Shore (11-02)	389.44	1	2.37b ISC submits MO Submission to HQ	2.33 Met June 13, 2018	2.37b Met September 17, 2018	Met Sept 5, 2018				Set apart as reserve.	A	ARB		Complete
Norway House	Nelson River East Channel A (33-01)	3,596.00	1	2.37b ISC submits MO Submission to HQ.							Indigenous Services Canada is awaiting confirmation from Cross Lake regarding consultation requirements. MB OIC Passed on August 2-2006. AIP signed and letter sent out March 6, 2018. MB to send Registered Trapline information to assist ISC with consultation.	A	ARB		Ongoing
Norway House	Hairy Lake (4-02)	113.32	1	2.37b ISC submits MO Submission to HQ	2.37b Met November 2018	2.35 MB approves transfer by OIC	2.35 Met June 13, 2018.				Set apart as reserve.	A			Complete
Norway House	Max Lake (25-01)	1,413.89	1	2.37b ISC submits MO Submission to HQ	2.37b Met November 2018	2.35 MB approves transfer by OIC	OIC passed Sept 5, 2018.				Set apart as reserve.	A	ARB		Complete
Norway House	Provincial Road 373 A (42-01A)	201.64	1	2.33 ISC forwards legal description to MB.	2.37b Met November 2018	2.35 MB approves transfer by OIC	OIC passed Sept 5, 2018.				Set apart as reserve.	A	ARB		Complete
Norway House	Provincial Road 373 Parcel C Additions (12-02)	800.19	1	2.37b ISC submits MO Submission to HQ	2.37b Met November 2018	2.35 MB approves transfer by OIC	OIC passed Sept 5, 2018.				Set apart as reserve.	A	ARB		Complete
Norway House	Provincial Road 373 C (42-01C)	1,209.76	1	2.37b ISC submits MO Submission to HQ	2.37b Met November 2018	2.35 MB approves transfer by OIC	2.35 Met June 13, 2018				Set apart as reserve.	A	ARB		Complete
Norway House	Bolton Lake B (3-01B)	234.01	1	2.37b ISC submits MO Submission to HQ	2.37b Met November 2018	2.35 MB approves transfer by OIC	2.35 Met June 13, 2018.				Set apart as reserve.	A	ARB		Complete
Norway House	Little Bolton Lake B (22- 01B)	25.70	1	2.37b ISC submits MO Submission to HQ	2.33 Met April 19, 2018.	2.35 MB approves transfer by OIC	2.35 Met June 13, 2018.				Set apart as reserve.	A	ARB		Complete

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Norway House	Bolton Lake A (3-01A)	128.49	1	2.37b ISC submits MO Submission to HQ	2.37b Met November 2018	2.35 MB approves transfer by OIC.	2.35 Met June 13, 2018.				Set apart as reserve.	A	ARB		Complete
Norway House	Max Lake South Shore (8-02)	1,554.54	1	2.37b ISC submits MO Submission to HQ	2.37b Met November 2018	2.35 MB approves transfer by OIC.	OIC passed Sept 5, 2018.					A	ARB		Complete
Norway House	Butterfly Lake A (5-01A)	2,282.01	1	2.37b ISC submits MO Submission to HQ		2.35 MB approves transfer by OIC.	OIC passed Sept 5, 2018.				MO recommended to HQ February 14, 2019.	A		EFNP	Complete
Norway House	Butterfly Lake B (5-01B)	115.89	1	2.37b ISC submits MO Submission to HQ		2.35 MB approves transfer by OIC.	OIC passed Sept 5, 2018.				MO recommended to HQ February 7, 2019.	A			Complete
Norway House	Lebrix Lake B (21-01B)	360.80	1	2.37b ISC submits MO Submission to HQ		2.35 MB approves transfer by OIC.	2.35 Met September 5, 2018				MO recommended to HQ February 14, 2019 .	A			Complete
Norway House	Opiminegoka Lake (35-01)	702.83	1	2.37b ISC submits MO Submission to HQ		2.35 MB Approves Transfer by OIC.	Met March 22, 2019.				MO draft review initiated March 22, 2019.	A			Complete
Norway House	Logan Lake North Shore (7-02)	625.84	1	2.37b ISC submits MO Submission to HQ		2.35 MB Approves Transfer by OIC					MO draft review initiated March 22, 2019.	A			Complete
Norway House	Logan Lake A (23-01A)	4,636.00	1	2.37b ISC submits MO Submission to HQ		2.35 MB approves transfer by OIC					MO draft review initiated March 22, 2019.	A			Complete
Norway House	Logan Lake B (23-01B)	497.00	1	2.37b ISC submits MO Submission to HQ		2.35 MB approves transfer by OIC					MO draft review initiated March 22, 2019.	A			Complete
Norway House	Hayes River Ridge B (15-01B)	180.58	1	2.37b ISC submits MO Submission to HQ		2.35 MB Approves Transfer by OIC					MO draft review initiated March 22, 2019.	A			Complete
Norway House	Provincial Road 373B (42-01B)	3,881.51	1	2.37b ISC submits MO Submission to HQ		2.34 MB Drafts OIC					MO draft review initiated March 22, 2019.	A			Complete

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Opaskwayak	Atik Lake (2-03)	1,141.63	1	2.37b ISC submits MO Submission to HQ.		2.35 MB OIC transfers land to Canada.	2.35 Met March 15, 2017.				Prior to finalizing the steps necessary for ISC to recommend reserve creation for determination by the Minister, ISC requires the completion of consultation. Consultation letter sent to MMF Oct 31-2014. ISC requested POIC Jan 13-2017.	A			Ongoing
Rolling River	NE 1/4 26-16-19 WPM (5-01) Cameron (acquisition)	157.92	1	3.20 ISC forwards legal description to MB 3.23d ISC accepts transfer of title from EFN. 3.24 ISC submits MO Submission to HQ. 3.25 INAC MO or PCO establishes reserve		3.21 MB Drafts OIC					Consultation letter was sent March 8, 2019. Response requested for May 7, 2019. Prior to requesting the Provincial OIC consultation will need to be completed.	A			Initiated
Rolling River	Lot 1 Plan 21180 WLTO in RL 87 and 88 Parish of St. Charles (Former Dairy King Property) (acquisition)	119.00	1	3.20 ISC considers/grants conditional AIP 3.23d ISC accepts transfer of title from EFN. 3.24 ISC submits MO Submission to HQ. 3.25 INAC MO or PCO establishes reserve	3.20 Met December, 2018.	3.22 MB Approves OIC.	3.22 Met MB Approves OIC March 25, 2019	3.11a EFN resolves TPI/encumbrances, 1.6 acres being phased, held as fee simple			MO package under review.	A			Complete
Sapotaweyak	SP Lot 16 Plan 3211 DLTO (703 Main St. Swan River) acquisition	0.21	1	3.28 ISC prepares MO submission for reserve creation	3.28 Met April 4, 2018.						Reserve created May 4, 2018.	A		EFNP	Complete
Sapotaweyak	Pelican Rapids Access Road Phase 3 (5-02)	3,978.99	1	2.33 ISC forwards legal description to MB.		2.35 MB approves transfer by OIC					Consultation letters sent out March 15, 2019. Prior to requesting the POIC Canada requires consultation to be completed. Consultation to be completed by June 13, 2019.	A		EFNP	Initiated
War Lake	Atkinson Lake B (3-02)	768.70	1	2.37b ISC submits MO Submission to HQ.	2.37b Met September 17, 2018						Set apart as reserve.	A	ARB		Complete
War Lake	Atkinson Lake C (4-02)	65.50	1	2.37b ISC submits MO Submission to HQ.	2.37b Met September 17, 2018						Set apart as reserve.	A	ARB		Complete
War Lake	Atkinson Lake (now Fox Lake) (1-05)	100.08	1	2.37b ISC submits MO Submission to HQ.	2.37b Met September 17, 2018						Set apart as reserve.	A	ARB		Complete
War Lake	Cyril Lake (7-02)	407.23	1	2.37b ISC submits MO Submission to HQ.	2.37b Met September 17, 2018						Set apart as reserve.	A	ARB		Complete
War Lake	Dafoe River (8-02)	171.99	1	2.37b ISC submits MO Submission to HQ.	2.37b Met September 17, 2018						Set apart as reserve.	A	ARB		Complete

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War Lake	Moose Nose Lake (10-02)	34.59	1	2.37b ISC submits MO Submission to HQ.	2.37b Met September 17, 2018						Set apart as reserve.	A	ARB		Complete
War Lake	War Lake amended (13-02)	811.74	2	2.37b ISC submits MO Submission to HQ.	2.37b Met September 17, 2018						Set apart as reserve.	A	ARB		Complete
War Lake	Atkinson Lake A (2-02)	1,431.70	1	2.37b ISC submits MO Submission to HQ.	2.37b Met September 17, 2018						Set apart as reserve.	A	ARB		Complete
Wuskwi Sipiik	Kettle Hills Addition (1-01)	736.79	1	2.37b ISC submits MO submission to HQ.							MMF letter received May 29, 2017 identifying concerns. Further consultation with MMF in progress. Provincial OIC passed August 29, 2012. PCFN expressed concerns - awaiting resolution. Prior to recommending reserve creation to the Minister, consultation will need to be completed.	A	ARB		Ongoing
Wuskwi Sipiik	Bell River/PTH 10 Addition (3-01)	3,575.31	1	2.37b ISC submits MO Submission to HQ							MMF letter received May 29, 2017 identifying concerns. Further consultation with MMF in progress. Provincial OIC passed September 21, 2016.	A	ARB	EFNP	Ongoing
Wuskwi Sipiik	Bell Lake (2-02)	201.89	1	2.37b ISC submits MO submission to HQ.							MMF letter received May 29, 2017 identifying concerns. Further consultation with MMF in progress. Provincial OIC passed August 29, 2012.	A	ARB		Ongoing
Wuskwi Sipiik	North Kettle Hills (4-02)	2,652.18	1	2.37b ISC submits MO submission to HQ.							MMF letter received May 29, 2017 identifying concerns. Further consultation with MMF in progress. Provincial OIC passed August 29, 2012. Prior to recommending reserve creation to the minister consultation will need to be completed.	A	ARB		Ongoing
Bunibonibee	Trout Falls (15-02)	619.60	1	2.10a INAC begins ARC sybmission 2.32B ISC registers survey at LTO. 2.33 ISC sends legal description to MB	2.32B Met March 13, 2019	2.35 MB approves transfer by OIC					Prior to requesting POIC consultation is to be completed. Survey plan recorded in CLSR as of March 13, 2019.	B		EFNP	To Be Initiated
God's Lake	East End of God's Lake (4-02)	195.81	1	2.21c Canada confirms agreement to method of resolve 2.27a Survey contract tendered. 2.27b Survey contract awarded. 2.27c ISC/Contractor completes survey.	Met 2.27a Met 2.27b Nov. 28, 2018			2.11 TLEC/EFN will analyze methods of resolution			EFN signed RSM Sept 12, 2014. Access Agreement - Lodge to Airstrip to be resolved regarding access.	B		EFNP	To Be Initiated

51 50,243.88

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God's Lake	Little Stull Lake (9) - Phase 1	7,266.38	1	2.27a Survey contract tendered. 2.27b Survey contract awarded. 2.27c ISC/Contractor completes survey.	Met 2.27a Met 2.27b Nov. 28, 2018				2.11 TLEC/EFN analyze methods of resolution.		Phase 1 is proceeding with the unencumbered area. MB received BCR and map from INAC February 22, 2016.	B		EFNP	To Be Initiated
Manto Sipi	Neekwaskan Lake (15.1)	125.53	1	2.27a Survey contract tendered. 2.27b Survey contract awarded. 2.27c ISC/Contractor completes survey.	Met 2.27a Met 2.27b Nov. 28, 2018				2.11 TLEC/EFN analyze methods of resolution.		Survey contract awarded Feb 4, 2019.	B			To Be Initiated
Manto Sipi	Neekwaskan Lake (15.3)	28.39	1	2.27a Survey contract tendered. 2.27b Survey contract awarded. 2.27c ISC/Contractor completes survey.	Met 2.27a Met 2.27b Nov. 28, 2018				2.11 TLEC/EFN analyze methods of resolution.		Survey contract awarded Feb 4, 2019.	B			To Be Initiated
Mathias Colomb	Granville Lake - 2B	1,628.01	1	2.20 ISC grants conditional AIP. 2.33 ISC sends legal description to MB.	Met 2.20 June 13, 2018.	OIC passed Sept 5, 2018		2.17b EFNs accepts ESA checklist or final report BCR			Indigenous Services Canada has completed consultation requirements. A new EA BCR has been drafted by ISC and has been emailed to TLEC and TLEC forwarded BCR to EFN on June 14, 2018. ISC hand delivered BCR to Chief Lorna Bighetty, February 20, 2019. Parcel on hold as communicated at ISC meeting March 13, 2019.	B	ARB		Complete
Nisichawayasihk	Driftwood Rapids to Grindstone Rapids (4-01)	1,028.35	1	2.32a ISC registers in LTO. 2.32b NRCAN records plan in CLSR 2.33 ISC forwards legal description to MB		2.34 MB approves transfer		2.17b EFNS accepts ESA checklist or final report.			NCN sent BCR 313-645 dated May 14, 2018 accepting the survey, a letter from Canada was sent back to the EFN on July 19, 2018 acknowledging receipt of the BCR. ISC cannot register in LTO until NRCAN receives field book from surveyor.	B			To Be Initiated
Nisichawayasihk	Driftwood Rapids to Grindstone Rapids Addition (3-06)	80.04	1	2.32a ISC registers in LTO. 2.32b NRCAN records plan in CLS 2.33 ISC forwards legal description to MB		2.34 MB drafts OIC		2.17b EFNS accepts ESA checklist or final report.			NCN sent BCR 313-645 dated May 14, 2018 accepting the survey, a letter from Canada was sent back to the EFN on July 19, 2018 acknowledging receipt of the BCR. ISC cannot register in LTO until NRCAN receives field book from surveyor.	B			To Be Initiated
Nisichawayasihk	Wuskwatim Brook (23-01)	367.03	1	2.32a ISC registers in LTO. 2.32b NRCAN records plan in CLSR 2.33 ISC forwards legal description to MB		2.34 MB Drafts OIC					ISC cannot register in LTO until NRCAN receives field book from surveyor.	B			To Be Initiated
Nisichawayasihk	Wuskwatim Lake South (26-01)	998.01	1	2.32a ISC registers in LTO. 2.32b NRCAN records plan in CLSR 2.33 ISC forwards legal description to MB		2.34 MB drafts OIC					ISC cannot register in LTO until NRCAN receives field book from surveyor.	B			To Be Initiated
Northlands	Fort Hall (6-04)	689.09	1	2.32b ISC registers survey in CLSR 2.33 ISC sends legal description to MB. 2.20 ISC grants conditional/unconditional AIP.	2.32b Met February 14, 2019.	2.34 MB Drafts OIC					Prior to requesting the POIC Canada requires consultation to be completed. Consultation letter sent April 8, 2019. Response requested for June 8, 2019.	B			To Be Initiated

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Northlands	Kasmere Lake Parcel B (8-04B)	1,332.44	1	2.32b ISC registers survey in CLSR 2.33 ISC sends legal description to MB. 2.20 ISC grants conditional/unconditional AIP.	2.32b Met February 14, 2019	2.34 MB Drafts OIC					Prior to requesting the POIC Canada requires consultation to be completed. Consultation letter sent April 8, 2019. Response requested for June 8, 2019.	B			To Be Initiated
Northlands	Maria Lake C (11-04C)	624.12	1	2.32b ISC registers survey in CLSR. 2.33 ISC sends legal description to MB. 2.20 ISC grants conditional/unconditional AIP.	2.32b Met March 13, 2019.	2.34 MB Drafts OIC					Prior to requesting the POIC Canada requires consultation to be completed. Consultation letter sent April 8, 2019. Response requested for June 8, 2019.	B			To Be Initiated
Northlands	Maria Lake E (11-04E)	690.77	1	2.20 ISC grants conditional/unconditional AIP. 2.32b ISC registers survey in CLSR 2.33 ISC sends legal description to MB.	2.32b Met March 13, 2019.	2.34 MB Drafts OIC					Prior to requesting the POIC Canada requires consultation to be completed. Consultation letter sent April 8, 2019. Response requested for June 8, 2019.	B			To Be Initiated
Northlands	North Arm (14-04)	181.24	1	2.20 ISC grants conditional/unconditional AIP. 2.32b ISC registers survey in CLSR 2.33 ISC sends legal description to MB.	2.32b Met February 14, 2019.	2.34 MB Drafts OIC					Prior to requesting the POIC Canada requires consultation to be completed. Consultation letter sent April 8, 2019. Response requested for June 8, 2019.	B			To Be Initiated
Northlands	Seman River (16-04)	256.82	1	2.20 ISC grants conditional/unconditional AIP. 2.32b ISC registers survey in CLSR 2.33 ISC sends legal description to MB.	2.32b Met March 13, 2019.	2.34 MB Drafts OIC					Prior to requesting the POIC Canada requires consultation to be completed. Consultation letter sent April 8, 2019. Response requested for June 8, 2019.	B			To Be Initiated
Northlands	Snyder Lake B (18-04B)	598.19	1	2.20 ISC grants conditional/unconditional AIP. 2.32b ISC registers survey in CLSR 2.33 ISC sends legal description to MB.	2.32b Met March 13, 2019.	2.34 MB Drafts OIC					Prior to requesting the POIC Canada requires consultation to be completed. Consultation letter sent April 8, 2019. Response requested for June 8, 2019.	B			To Be Initiated
Northlands	Snyder Lake C (18-04C)	887.70	1	2.20 ISC grants conditional/unconditional AIP. 2.32b ISC registers survey in CLSR 2.33 ISC sends legal description to MB.	2.32b Met March 13, 2019.	2.34 MB Drafts OIC					Prior to requesting the POIC Canada requires consultation to be completed. Consultation letter sent April 8, 2019. Response requested for June 8, 2019.	B			To Be Initiated
Northlands	Tice Lake (24-04)	1,599.24	1	2.20 ISC grants conditional/unconditional AIP. 2.32b ISC registers survey in CLSR 2.33 ISC sends legal description to MB.	2.32b Met March 13, 2019.	2.34 MB Drafts OIC.					Prior to requesting the POIC Canada requires consultation to be completed. Consultation letter sent April 8, 2019. Response requested for June 8, 2019.	B			To Be Initiated
Northlands	Misty Lake (13-04)	964.21	1	2.32a ISC registers in LTO. 2.32b NRCan records plan in CLSR 2.33 ISC forwards legal description to MB		2.34 MB drafts OIC					Prior to requesting the POIC Canada requires consultation to be completed. Consultation letter sent April 8, 2019. Response requested for June 8, 2019.	B			To Be Initiated
Northlands	Snyder Lake D (18-04D)	852.26	1	2.27a Survey contract tendered. 2.27b Survey contract awarded. 2.27c ISC survey to be completed.	Met 2.27a Met 2.27b						Survey to be completed. The survey will require the completion of the demarcation of the Ordinary High Water Mark during the summer months. Prior to requesting the POIC Canada requires consultation to be completed. Consultation letter sent April 8, 2019. Response requested for June 8, 2019.	B		EFNP	To Be Initiated

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Norway House	Robinson Lake A (43-01A)	268.34	1	2.17a ISC completes ESA checklist or final report		2.35 MB approves transfer by OIC.		2.17b EFN accepts ESA cchecklist or final report. 2.30a EFN approves survey plan by BCR. 2.30b EFN names new reserve by BCR.			MBSD confirmed no structures on the selection Oct 30, 2018.	B		EFNP	Complete
Norway House	Hayes River Ridge A (15-01A)	2,236.08	1	2.27a Survey contract tendered. 2.27b Survey contract awarded. 2.27c ISC/Contractor completes survey.	Met 2.27a Met 2.27b Feb. 15, 2019	2.34 MB drafts OIC					Survey contract awarded February 19, 2019.	B			Complete
Norway House	Nelson River East Channel Addition (10-02)	915.83	1	2.27a Survey contract tendered. 2.27b Survey contract awarded. 2.27c ISC/Contractor completes survey.	Met 2.27a Met 2.27b Feb. 15, 2019						Survey contract awarded Feb. 15, 2019.	B			Complete
Norway House	Painted Stone Portage B (36-01B)	64.34	1	2.27a Survey contract tendered. 2.27b Survey contract awarded. 2.27c ISC/Contractor completes survey.	Met 2.27a Met 2.27b Feb. 15, 2019						Survey contract awarded Feb. 15, 2019.	B			To Be Initiated
Norway House	Bolton Lake C (3-01C)	494.79	1	2.27a Survey contract tendered. 2.27b Survey contract awarded. 2.27c ISC/Contractor completes survey.	Met 2.27a Met 2.27b Feb. 15, 2019.						Survey contract awarded Feb. 15, 2019.	B			To Be Initiated
Norway House	Ponask Lake Portage	194.17	1	2.27a Survey contract tendered. 2.27b Survey contract awarded. 2.25c ISC prepares survey instructions.	Met 2.27a Met 2.27b November 14, 2018.			2.25a TLEC/EFN signs RSM with conditions if any.	2.25a Met Dec. 11, 2018.		RSM signed by all parties Jan 14-2019. On the potential survey list for 2019-20	B			To Be Initiated
Norway House	Gunisao River (3-02)	4,503.95	1	2.28c Provsional Plan distributed to MBSD, DOS & ISC 2.29 ISC sends plan to EFN/approval -TLEC/Review.	Met 2.28c March 2019.				EFN Completed steps.		Provincial Plan sent to LTO by surveyor. Will need naming and EA BCR.- Accepting EA BCR 278-1601 received from EFN November 5, 2018. Currently with MB survey examiner. Provisional plan of survey sent to EFN March 20, 2019 for signature.	B			To Be Initiated
Norway House	Pakatawacun Lake (37-01)	324.07	1	2.20 ISC RDG/DM considers/grants conditional AIP. 2.33 INAC forwards legal description to MB.					EFN Completed steps.		AIP under review. CLSR recorded July 14, 2016.	B		EFNP	To Be Initiated
Opaskwayak	Springwater (3-03)	958.39	1	2.31b ISC reviews provisional plan of survey.		2.31a MB DOS issues tentative approval.					AIP Letter provided April 2011 for Community Approval Process in order for Canada and Manitoba to proceed with the transfer of lands. EFN provided BCR# 315-2019, accepting naming reserve received April 2, 2013.	B			To Be Initiated

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Rolling River	Site 3 - SW 1/4 20-17-18 WPM Former Ronald Hill (acquisition)	163.00	1	3.12 ISC determines survey requirements 3.13a ISC tenders survey 3.13b ISC survey contract awarded 3.13c contractor completes survey 3.19a &b NRCan/ISC registers survey CLSR & LTO. 3.20 ISC forwards legal description to MB.	Met 3.12 Met 3.13a Met 3.13b	3.21 MB drafts provincial OIC					ISC to share survey results and confirm name of parcel. Consultation letters were sent on March 8, 2019. Response requested by May 7, 2019.	B			Initiated
Rolling River	Site 4 - SW 1/4 19-17-18 Former Ronald Hill (Acquisition)	154.00	1	3.12 ISC determines survey requirements 3.13a ISC tenders survey 3.13b ISC survey contract awarded 3.13c contractor completes survey 3.19a &b NRCan/ISC registers survey CLSR & LTO. 3.20 ISC forwards legal description to MB.	Met 3.12 Met 3.13a Met 3.13b	3.21 MB drafts Provincial OIC					ISC to share survey results and confirm name of parcel. Consultation letters were sent on March 8, 2019. Response requested by May 7, 2019.	B			Initiated
Sapotaweyak	Red Deer Lake (amended) (1-02)	1,815.01	1	2.22a ISC circulates photo base maps to MBSD 2.22b ISC circulates photo base map to TLEC 2.23 ISC circulates RSM to EFN 2.25c ISC signs RSM 2.27a ISC prepares survey instructions.	2.22a Met October 19, 2018 - November 1, 2018 2.23 Met 2.25c Met Feb 5, 2019	2.24 MB notifies results of review preliminary RSM.	2.24 Met Oct. 10, 2018.				RSM has been signed by all parties.	B		EFNP	To Be Initiated
War Lake	North of Ilford (Amended) (11-02)	6.52	1	2.32b ISC forwards survey for CLSR registration. 2.33 ISC forwards legal description to Manitoba.	2.32b Met March 13, 2019.	2.35 MB approves transfer by OIC		EFN completed steps.			Prior to requesting the POIC Canada requires the completion of consultation.	B			To Be Initiated
Wuskwi Sipiik	Crown/Agricultural Lands (6-99B12)	446.00	1	2.20 ISC RDG considers/grants conditional AIP. 2.32a ISC registers survey at LTO. 2.32c NRCan records plan in CLSR.							NRCan is working with the surveyor to redraw the survey plan. The survey plan had both acquisitions and Crown Land and could not be registered at LTO. ISC to register survey plan at LTO once plan is redrawn.	B		EFNP	To Be Initiated
Wuskwi Sipiik	Crown/Agricultural Lands (6-99B10)	159.00	1	2.20 ISC RDG considers/grants conditional AIP. 2.32a ISC registers survey at LTO. 2.32c NRCan records plan in CLSR		2.35 MB approves transfer by OIC					NRCan is working with the surveyor to redraw the survey plan. The survey plan had both acquisitions and Crown Land and could not be registered at LTO. ISC to register survey plan at LTO once plan is redrawn.	B			To Be Initiated
Wuskwi Sipiik	DT Lagace Property (NW 5-41-24 WPM) (2) (acquisition)	160.00	1	3.19a ISC registers survey at LTO 3.19b NRCan records survey in CLSR.		3.21 MB drafts provincial OIC					NRCan is working with the surveyor to redraw the survey plan. The survey plan had both acquisitions and Crown Land and could not be registered at LTO. ISC to register survey plan at LTO once plan is redrawn.	B			To Be Initiated

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Wuskwi Sipiik	NW 1/4 6-39-26 WPM (former Koutecky Property) (9-10) (acquisition)	143.09	1	3.19a EFN registers survey at LTO 3.19b NRCAN records survey in CLSR.							The EFN is managing their own survey contract. Canada is funding the survey. The EFN is to provide the registered survey plan to ISC. A mortgage has been placed on the property in order to pay the builder for the builders lien on the property.	B		EFNP	Complete
Wuskwi Sipiik	NE 1/4 6-39-26 WPM & NW 1/4 5-39-26 WPM - former Kirkpatrick properties (7-10) (acquisitions)	144.96	1	3.19a EFN registers survey at LTO 3.19b NRCAN records survey in CLSR.							The EFN is managing their own survey contract. Canada is funding the survey. The EFN is to provide the registered survey plan to ISC.	B		EFNP	Complete
Wuskwi Sipiik	NE 1/4 6-39-26 WPM & NW 1/4 5-39-26 WPM - former Kirkpatrick properties (8-10) (acquisitions)	160.00	1	3.19a EFN registers survey at LTO 3.19b NRCAN records survey in CLSR.							The EFN is managing their own survey contract. Canada is funding the survey. The EFN is to provide the registered survey plan to ISC.	B		EFNP	Complete
Wuskwi Sipiik	Crown/Agricultural Lands (6-99B6)	157.00	1	2.20 ISC considers AIP approval. 2.32a ISC registers plan at LTO 2.32b ISC records plan in CLSR 2.33 ISC forwards legal description to MB.	2.32a Met Sept 18, 2018. 2.32b met	2.35 MB approves transfer by OIC					The survey plan was registered on Sept 18, 2018. the plan was recorded in CLSR on March 13, 2019.	B			To Be Initiated
Wuskwi Sipiik	Crown/Agricultural Lands (6-99B2)	624.00	1	2.20 ISC considers AIP approval. 2.32a ISC registers plan at LTO 2.32b ISC records plan in CLSR 2.33 ISC forwards legal description to MB.	2.32a Met Sept 18, 2018. 2.32b met	2.35 MB approves transfer by OIC					The survey plan was registered on Sept 18, 2018. the plan was recorded in CLSR on March 13, 2019.	B			To Be Initiated
Wuskwi Sipiik	N 1/2 36-40-25 WPM (former Burwash property) (1-10) (acquisition)	314.00	1	3.10b ISC considers/grants conditional AIP. 3.19a EFN registers survey at LTO 3.19b NRCAN records survey in CLSR. 3.20 ISC forwards legal description to MB	3.19a Met Sept 18, 2018. 3.19b met	3.21 MB drafts provincial OIC				Permit in works	The survey plan was registered on Sept 18, 2018. the plan was recorded in CLSR on March 13, 2019.	B		EFNP	To Be Initiated
Wuskwi Sipiik	SW 1/4 36-40-25 WPM (former Burwash property) (3-10) (acquisition)	150.63	1	3.10b ISC considers/grants conditional AIP. 3.19a EFN registers survey at LTO 3.19b NRCAN records survey in CLSR. 3.20 ISC forwards legal description to MB	3.19a Met Sept 18, 2018. 3.19b met	3.21 MB drafts provincial OIC					The survey plan was registered on Sept 18, 2018. the plan was recorded in CLSR on March 13, 2019.	B		EFNP	To Be Initiated
Wuskwi Sipiik	NE 1/4 25-40-25 WPM (former McGregor property) (6-10) (acquisition)	155.22	1	3.10b ISC considers/grants conditional AIP. 3.19a EFN registers survey at LTO 3.19b NRCAN records survey in CLSR. 3.20 ISC forwards legal	3.19a Met Sept 18, 2018. 3.19b met	3.21 MB drafts provincial OIC					The survey plan was registered on Sept 18, 2018. the plan was recorded in CLSR on March 13, 2019.	B			To Be Initiated

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Wuskwi Sipiik	W 1/2 of NW 1/4 30-40-24 WPM (former Burwash property) (2-10) (acquisition)	78.48	1	3.10b ISC considers/grants conditional AIP. 3.19a EFN registers survey at LTO 3.19b NRCAN records survey in CLSR. 3.20 ISC forwards legal description to MB	3.19a Met Sept 18, 2018. 3.19b met	3.21 MB drafts provincial OIC					The survey plan was registered on Sept 18, 2018. the plan was recorded in CLSR on March 13, 2019.	B			To Be Initiated
Wuskwi Sipiik	Palmondon Property (All 30-41-24 WPM)(3) (acquisition)	640.00	1	3.19a EFN registers survey at LTO 3.19b NRCAN records survey in CLSR. 3.20 ISC forwards legal description to MB	3.19a Met Sept 18, 2018. 3.19b met	3.21 MB drafts provincial OIC					The survey plan was registered on Sept 18, 2018. the plan was recorded in CLSR on March 13, 2019.	B			To Be Initiated
Wuskwi Sipiik	Crown/Agricultural Lands (6-99B5)	312.00	1	2.20 ISC considers AIP approval. 2.32a ISC registers plan at LTO 2.32b ISC records plan in CLSR 2.33 ISC forwards legal description to MB.	2.32a Met Sept 18, 2018. 2.32b met	2.35 MB approves transfer by OIC					Prior to requesting the Provincial OIC ISC requires completion of consultation. The survey plan was recorded in CLSR on March 13, 2019.	B			To Be Initiated
Wuskwi Sipiik Priority Parcel	NW 8-41-24 WPM (former Watson Property) (1) (acquisition)	160.00	1	3.19a EFN registers survey at LTO 3.19b NRCAN records survey in CLSR. 3.20 ISC forwards legal description to MB	3.19a Met Sept 18, 2018. 3.19b met	3.21 MB drafts provincial OIC					NRCAN is working with the surveyor to redraw the survey plan. The survey plan had both acquisitions and Crown Land and could not be registered at LTO. ISC to register survey plan at LTO once plan is redrawn.	B		EFNP	To Be Initiated
Brokenhead	Certificate of Title #1960361/1 - Lots 137 - 142 Block 2 Plan 129 WLTO (W. Div) in RL 1 Parish of St. John (360 Broadway Ave, City of Winnipeg) (acquisition)	0.39	1	3.7a ISC begins ARC submission.							MDSA is required.	C			
Brokenhead	East St. Paul CT#2343342 (4-11) (acquisition)	155.00	1	3.12 ISC determines survey requirements if any		3.11b Manitoba confirms agreement to method of resolve		3.6 EFN concludes MDSA negotiations 3.11a EFN resolves TPI/encumbrances			Land in a Municipality - RM of East St. Paul Caveat#199722 - MTS Allstream Inc. Caveat#3498425 - MTS Allstream Inc. Road - MIT - PTH101 & Wenzel St. Right of Way Required. MB is in negotiations with BON. Confirm survey plan. MIT is surveying parcel and ESA is being conducted by MB. MDSA not required as per letter from MB and Canada Nov 24, 2016. EFN provides letter from MB to CAN on MIT ROW Dec 7, 2016.	C			

49 36,916.10

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Brokenhead	East St. Paul CT#2343355 (9-11) (acquisition)	44.00	1	3.8a ISC/EFN EA site visit/screening		3.11b Manitoba confirms agreement to method of resolve		3.6 EFN concludes MDSA negotiations 3.11a EFN resolves TPI/encumbrances			Land in a Municipality - RM of East St. Paul Caveat#235394 - MTS Allstream Inc. Hydro Distribution - resolved as per agreed to form. Legal description needed for insertion into Land Code permit. Road - MIT - PTH 59 & PR 202 Right of Way Requirement MI is currently surveying out their interest. MB and BON in negotiations on the land exchange. The FN and RM want a service agreement. Canada cannot remove TPIs off affected parcels, and that further discussion is required in terms of surveying out TPIs. There are subdivision and title issues that must be contemplated by the EFN and all involved. MDSA not required as per letter from MB and Canada Nov 24, 2016. EFN provides letter from MB to CAN on MIT ROW Dec 7, 2016.	C			
Brokenhead	East St. Paul CT#2343354 (8-11) (acquisition)	51.00	1	3.8a ISC/EFN EA site visit/screening		3.11b Manitoba confirms agreement to method of resolution.		3.6 EFN concludes MDSA negotiations 3.11a EFN resolves TPI/encumbrances			Land in a Municipality - RM of East St. Paul Caveat#235805 - MTS Allstream Inc. Hydro Distribution - resolved as per agreed to form. Legal description needed for insertion into Land Code permit. Road - MIT - PTH 59 & PT 202 Right of Way Requirement Caveat#2257312-RM of East St. Paul Caveat#3339966-RM of East St. Paul Caveat#3413094-SSS/MRM Guide Rail Inc. MI is currently surveying out their interest. MB and BON in negotiations on the land exchange. The FN and RM want a service agreement. Canada cannot remove TPIs off affected parcels, and that further discussion is required in terms of surveying out TPIs. There are subdivision and title issues that must be contemplated by the EFN and all involved. MDSA not required as per letter from MB and Canada Nov 24, 2016. EFN provides letter from MB to CAN on MIT ROW Dec 7 2016.	C			
Brokenhead	East St. Paul CT#2343341 (3-11)(acquisition)	54.00	1	3.8a ISC /EFN EA site vistit Screening. 3.12 Canada determines survey requirements if any.		3.11b Manitoba confirms agreement to method of resolution.		3.6 EFN concludes MDSA negotiations 3.11a EFN resolves TPI/encumbrances			Land in a Municipality - RM of East St. Paul Hydro Distribution - Legal description needed for insertion into BON Land Code permit. Road - MIT - PTH 59 & 101 Right of Way Requirement - BON met with MIT to review Plans Easement#A16372 - Winnipeg Pipe Line Co. Ltd.Easement#A16 Caveat#209804 - Manitoba Hydro Electric Board Caveat#2211442- RM of ESP. EFN advised Imperial Oil it seeks a new Easement Agreement. Imperial Oil won't provide Depth of Cover Survey done in fall 2015. MDSA not required as per letter from MB and Canada Nov 24, 2016. MB and BON in negotiations on the land exchange. The FN and RM want a service agreement. Canada cannot remove TPIs off affected parcels, and that further discussion is required in terms of surveying out TPIs. There are subdivision and title issues that must be contemplated by the EFN and all involved. MDSA not required as per letter from MB and Canada Nov 24, 2016.	C		EFNP	

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Brokenhead	East St. Paul CT#2343338 (1-11) (acquisition)	2.00	1	3.8a ISC /EFN EA site visit Screening. 3.12 Canada determines survey requirements if any.		3.11b Manitoba confirms agreement to method of resolution.		3.6 EFN concludes MDSA negotiation 3.11a EFN resolves TPI/encumbrances			Land in a Municipality - RM of East St. Paul Hydro Distribution - Legal description needed from ISC for insertion into BON Land Code permit. Road - MIT - PTH 59 & 101 Right of Way Requirement - BON met with MIT to review Plans Caveat#2211448- RM of East St. Paul. MB and BON in negotiations on the land exchange. The FN and RM want a service agreement. Canada cannot remove TPIs off affected parcels, and that further discussion is required in terms of surveying out TPIs. There are subdivision and title issues that must be contemplated by the EFN and all involved. MDSA not required as per letter from MB and Canada Nov 24, 2016 .	C		EFNP	
Brokenhead	East St. Paul CT#2343339 (2-11) (acquisition)	5.00	1	3.12 Canada determines survey requirements if any		3.11b Manitoba confirms agreement to method of resolution.		3.6 EFN concludes MDSA negotiations 3.11a EFN resolves TPI/encumbrances			Land in a Municipality - RM of East St. Paul Hydro Distribution - Legal description needed from ISC for insertion into BON Land Code permit. Road - MIT - PTH 59 & 101 Right of Way Requirement - BON met with MIT to review Plans. MB and BON in negotiations on the land exchange. The FN and RM want a service agreement. Canada cannot remove TPIs off affected parcels, and that further discussion is required in terms of surveying out TPIs. There are subdivision and title issues that must be contemplated by the EFN and all involved. MDSA not required as per letter from MB and Canada Nov 24, 2016	C		EFNP	
Brokenhead	East St. Paul CT#2343352 (7-11) (acquisition)	14.00	1	3.8a ISC /EFN EA site visit Screening. 3.12 Canada determines survey requirements if any.		3.11b Manitoba confirms agreement to method of resolution.		3.6 EFN concludes MDSA negotiations 3.11a EFN resolves TPI/encumbrances			Land in a Municipality - RM of East St. Paul Hydro Distribution - resolved as per agreed to form. Legal description needed for insertion into 28(2) permit. Road - MIT - PTH 59 & PR 202 Right of Way Requirement Caveat#2257312- RM of East St. Paul Caveat#3339966- RM of East St. Paul MI is currently surveying out their interest. MB and BON in negotiations on the land exchange. The FN and RM want a service agreement. Canada cannot remove TPIs off affected parcels, and that further discussion is required in terms of surveying out TPIs. There are subdivision and title issues that must be contemplated by the EFN and all involved. MDSA not required as per letter from MB and Canada Nov 24, 2016. EFN provides letter from MB to CAN on MIT ROW Dec 7, 2016.	C		EFNP	
Brokenhead	East St. Paul CT#2343348 (6-11) (acquisition)	9.00	1	3.8a ISC /EFN EA site visit Screening 3.12 Canada determines survey requirements if any		3.21 MB drafts provincial OIC		3.6 EFN concludes MDSA negotiations 3.11a EFN resolves TPI/encumbrances			Land in a Municipality - RM of East St. Paul Legal description needed for insertion into permit. Easement #A16594 - Winnipeg Pipe Line Co. Ltd. require legal description from ISC prior to executing permit. EFN advised Imperial Oil it seeks a new Easement Agreement. Imperial Oil are in discussion over an agreement. Depth of Cover Survey done in fall 2015 EFN. MB and BON in negotiations on the land exchange. The FN and RM want a service agreement. Canada cannot remove TPIs off affected parcels, and that further discussion is required in terms of surveying out TPIs. There are subdivision and title issues that must be contemplated by the EFN and all involved. MDSA not required as per letter from MB and Canada Nov 24, 2016	C		EFNP	

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Brokenhead	East St. Paul CT#2343345 (5-11) (acquisition)	144.00	1	3.8a ISC /EFN EA site visit Screening 3.12 Canada determines survey requirements if any		3.21 MB drafts provincial OIC		3.6 EFN concludes MDSA negotiations 3.11a EFN resolves TPI/encumbrances	MDSA not required as per letter from MB and Canada Nov 24, 2016		MB and BON are in negotiations on the land exchange. The FN and RM want a service agreement. Canada cannot remove TPIs off affected parcels, and that further discussion is required in terms of surveying out TPIs. There are subdivision and title issues that must be contemplated by the EFN and all involved. Canada cannot remove TPIs off affected parcels, and that further discussion is required in terms of surveying out TPIs. There are subdivision and title issues that must be contemplated by the EFN and all involved.	C		EFNP	
Brokenhead	Parcel 1 (Lac du Bonnet South) (1-01 & 1-01A) Phase A and B east of municipal road.	966.00	2	2.17a ISC completes ESA checklist or final report	Met 2.17a	2.21b Manitoba confirms agreement with the methods proposed to resolve all issues.		2.17b EFN accepts ESA checklist or final report 2.21a EFN resolves TPI			MDSA not required. MTS line identified during survey, EFN to draft utility permit which will confirm any further survey work. Drainage agreement under development between BON, MB for third party drainage usage. MB requirements for surveying road allowance to be address s by MB. Manitoba requirements as it relates to surveying out road allowance to be addressed by the province.	C		EFNP	
Bunibonibee	Wipanipanis Portage (20-02)	326.79	1	2.27b ISC to award survey contract.	Met 2.27a December 20, 2018						Survey has begun.	C		EFNP	
God's Lake	Kanuchuan Rapids Addition (3-2000)	3,906.23	1	2.33 ISC forwards legal description to MB				2.21a EFN resolves TPI.			Garden Hill FN expressed concern. (Garden Hill FN consultation concern, not TPI.) God's Lake FN to send a letter to Garden Hill FN to clarify that no development is proposed for the selection.	C			Ongoing
Manto Sipi	God's River (20) North of Lodge	106.15	1	2.33 ISC forwards legal description to MB				2.21a EFN resolves TPI/Encumbrances		Access Agreement - Off take Drain Maintenance (for airport).	MSCN reviewing drainage access agreement and BCR	C			
Manto Sipi	Pine Rapids (4-01)	76.49	1	2.33 - ISC sends legal description to Manitoba	Met 2.32b March 13, 2019			2.30a EFN approves survey plan by BCR	Met 2.30		Survey plan registered on Sept 18, 2018. Recorded in CLSR March 13, 2019	C			
Mathias Colomb	Kipahigan Lake (24)	502.69	1	2.22a ISC sends RSM noting conditions if any to MB				2.17b EFN accepts results environmental assessment 2.21a EFN resolves TPI/Encumbrances	Assist with BCR	Phase 1 acceptance BCR needed	TPI - GP 1972 - Fish Camp Treatment of fish camp must be addressed before signing the RSM Phase 2 EA recommended for Fish Camp. RSM to be adjusted once TPI resolved and will then be circulated.	C			

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Mathias Colomb	Mile 99 (26)	391.83	1	2.22a ISC sends RSM noting conditions if any to MB				2.17b EFN accepts results of Phase II environmental assessment 2.21a EFN resolves TPI/Encumbrances 2.25a EFN signs RSM with conditions noted if any.	Assist with BCR	Phase 2 acceptance BCR needed	TPI - GP 4720 - Primary Residence There is another house without a GP - Pre-Transfer Use Agreement schedule is required. There is an unregistered cabin which were identified on the ESA. Private land and Hydro 66KV Transmission Line to be excluded by BCR MTS Facilities - EFN has concerns with Phase 2 EA, but area is adjacent to TLE selection RSM to be adjusted once TPI resolved and will then be circulated. ESA given to Chief Lorna Bighetty February 20, 2019.	C		EFNP	
Opaskwayak	Cemetery Lake (6-2000) Phase 1	1,116.00	1	2.22a ISC sends RSM noting conditions if any to Manitoba.		2.21b MB confirms agreement with the methods proposed to resolve all issues- <i>Mining claim</i>		2.17b TLEC assists in securing the acceptance EA BCR 2.21a EFN resolves TPI / encumbrances.			Draft AIP package under review by ISC. Land in a Municipality - RM of Kelsey. Parcel has been phased to isolate the TPIs on to phase 2. No TPIs. RSM sent to MBSD. MBSD requested further information, INR committed to providing a response. Email dated Feb 15, 2019. EFN, TLEC, ISC, NRCan to meet on Hydro Transmission Line.	C		EFNP	
Opaskwayak	Barrier Settlement (1-06) (Acquisition)	137.67	1	3.13c ISC/contractor completes survey 3.14 ISC/contractor send plans to DOS 3.15 ISC sends plan to EFN/approval - TLEC review				5.10 EFN negotiates purchase price of property with PSPC.		Execution of Purchase Agreement required. AIP Letter required prior to Community Approval Process.	The selection and the acquisition of the same name will move together. Currently being examined at the LTO office. Cannot be sent to EFN until DOS and LTO approval. Waiting for BCR to phase the Lot 7. The Acquisition can proceed once received.	C			
Opaskwayak	Surplus Federal Crown Land - City of Thompson (2-04) (acquisition)	1.74	1	3.12 Canada determines survey requirements if any. Environment Site visit dated May 2010 will stale date in 2015, requested a new site visit for Fiscal 15/16.		2.24 MB notifies ISC & EFN and TLEC of results of review of preliminary photo base map		2.21 EFN resolves TPI/encumbrance			TPI - Stittco (CANWEST) caveat on the property. Partial Discharge initiated by the FN (unusual caveat, for future services). Updated EA required. As per request from ISC OCN provided ISC with notice of requests for CanWest to sign. At August 17/2018 meeting EFN advised their intent to rescind this parcel. Sent a follow up email to TLEC advisor advising EFN must discuss trust issues with their legal council and membership. Email dated Feb 1, 2019. Manitoba is reviewing file to confirm with legal what the implication would be legally if this parcel is rescinded.	C		EFNP	

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Rolling River	NW 1/4 26-16-19 WPM (12-01) Former Manns (Acquisition)	156.25	1	3.20 ISC forwards legal description to MB		3.21 MB drafts provincial OIC		3.11a EFN/TLEC negotiates settlement of TPI/Provincial interests/encumbran ces and confirms the method of resolution for all issues in writing.	3.11a not met Awaiting confirmation of road closure/sale from RM; awaiting confirmation from Canada on method of resolution for Harvard Energy TPI.	TPI Harvard Energy - mines and minerals Potential road encroachment	The RM road is closed, however title will remain under the RM name and then effect transfer to the RRFN. Private Minerals (Harvard International) not addressed to satisfaction of TPI holder. RRFN to work with TLEC on FMAA. During April 26, 2019, meeting, IMC Chair agreed to review the FMAA with the EFN. Consultation letter was sent March 8, 2019 and a response is requested for May 7, 2019. Prior to requesting the Provincial OIC consultation will need to be completed.	C		EFNP	Initiated
Sapotaweyak	Former Bilow Gas Bar (Acquisition Mafeking) (1-09)	1.55	1	3.7a ISC begins ARC submission		3.21 MB drafts provincial OIC					Caveat #39929 - MTS - 28(2) Permit. Hydro Distribution - 28(2) Permit. Land in a Municipality - RM of Mountain. MTS will not discharge Caveat 39929 unless SCN consents to updated MTS permit on main reserve. Parcel has contamination. EFN is aware.	C		EFNP	
Sapotaweyak	The Bluff (revised) (3-99)	1,922.20	1	2.22a ISC sends RSM noting conditions to MB 2.22b ISC circulates RSM to TLEC/EFN 2.23 ISC circulates RSM to EFN 2.25c ISC signs RSM	2.22a Met October 4, 2018. 2.22b met October 25, 2019	2.24 MB notifies ISC & EFN and TLEC of results of review of preliminary RSM.	Met October 10, 2018	2.25 (a) EFN Signs RSM with conditions noted if any.			All parties reviewed RSM together. ISC/NRCan updated the RSM according to Chief's comments during Feb 4, 2019 all party meeting. ISC sent to MB for the preliminary review March 14, 2019. MSD provided their comments on the RSM on March 21, 2019. EFN to advise on how they would like to proceed.	C		EFNP	
War Lake	New Water Treatment Plant & Old Water Treatment Plant #3	0.00	1								All party technical team to meet on the issues to clarify next steps.	C			
War Lake	Old Water Treatment Plant	0.00	1								All party technical team to meet on the issues to clarify next steps.	C			
War Lake	Community Docks 1, 2 & 3	0.00	1								All party technical team to meet on the issues to clarify next steps.	C			
War Lake	Community Hall	0.00	1								All party technical team to meet on the issues to clarify next steps.	C			
War Lake	Administration Building	0.00	1								All party technical team to meet on the issues to clarify next steps.	C			
War Lake	Fire Hall & Garage	0.00	1								All party technical team to meet on the issues to clarify next steps.	C			

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War Lake	Sewage Treatment Plant	0.00	1								All party technical team to meet on the issues to clarify next steps.	C			
Wuskwi Sipiik	Crown/Agricultural Lands (6-99B9)	155.00	1	2.20 ISC RDG grants AIP 2.22a ISC sends RSM to MB noting conditions 2.22b ISC circulates RSM to TLEC 2.23 ISC circulates RSM to EFN 2.25c ISC signs RSM 2.27a ISC prepares survey instructions.	2.22a Met 2.22b Met 2.23 Met 2.25c Met	2.31 DOS (MB) reviews provisional plan of survey and issues tentative approval.		2.25a EFN signs RSM with conditions noted if any.			Survey being contracted.	C			
Wuskwi Sipiik	Porcupine Ridge (6-02)	651.02	1	2.20 ISC RDG grants AIP 2.22a ISC sends RSM to MB noting conditions 2.22b ISC circulates RSM to TLEC 2.23 ISC circulates RSM to EFN 2.25c ISC signs RSM 2.27a ISC prepares survey instructions.	2.22a Met 2.22b Met 2.23 Met 2.25c Met						Survey and ESA being contracted and scheduled by ISC for 2019.	C			
Wuskwi Sipiik	Red Deer River North (5-01)	1,163.11	1	2.20 ISC RDG grants AIP 2.22a ISC sends RSM to MB noting conditions 2.22b ISC circulates RSM to TLEC 2.23 ISC circulates RSM to EFN 2.25c ISC signs RSM 2.27a ISC prepares survey instructions.	2.22a Met 2.22b Met 2.23 Met 2.25c Met						Hydro Distribution - need legal description to complete agreed to form 28(2). BCR July 25, 2018 accepting parcel in current state. ESA being contracted and scheduled by ISC for 2019.	C		EFNP	
Wuskwi Sipiik	Red Deer River South (7-02)	1,547.97	1	2.20 ISC RDG grants AIP 2.22a ISC sends RSM to MB noting conditions 2.22b ISC circulates RSM to TLEC 2.23 ISC circulates RSM to EFN 2.25c ISC signs RSM 2.27a ISC prepares survey instructions.	2.22a Met 2.22b Met 2.23 Met 2.25c Met	2.21b MB confirms agreement with methods proposed to resolve all issues.					ESA being contracted and scheduled by ISC for 2019.	C			
Wuskwi Sipiik	Lot 14-16 Block 29 Plan 426 PLTO (Former Town of the Pas Property) (10-10) (acquisition)	0.78	1	3.19b NRCan records survey in CLSR.				3.14 EFN sends plan to DOS, ISC.		Permit - complete BCR 324-546 MDSA with The Pas in works.	Land in an Urban Area - Town of the Pas MDSA required' NRCan to input survey into CLSR. At past TLEC meeting, OCN requested to meet with WSFN as per protocol requirements. ESA being contracted and scheduled by ISC for 2019.	C		EFNP	Ongoing

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Wuskwi Sipiik	Lot 25 Plan 1069 DLTO (former McKay property) (5-10)	16.60	1	3.10b ISC RDG grants AIP 3.12 ISC determines survey requirements 3.13a ISC tenders survey 3.13b ISC survey contract awarded 3.13c contractor completes survey 3.19a &b NRCan/ISC registers survey CLSR & LTO. 3.20 ISC forwards legal description to MB.		3.11b MB confirms agreement with the methods proposed to resolve all issues.					MTS Facilities - cable - Legal description from ISC needed for insertion into 28(2) permit. Hydro Distribution - electrical lines - Legal description needed from AANDC for insertion into 28(2) permit.	C			
Wuskwi Sipiik	Lot 22 Plan 820 DLTO (Former McKay Property) (4-10)	7.00	1	3.10b ISC RDG grants AIP 3.12 ISC determines survey requirements 3.13a ISC tenders survey 3.13b ISC survey contract awarded 3.13c contractor completes survey 3.19a &b NRCan/ISC registers survey CLSR & LTO. 3.20 ISC forwards legal description to MB.		3.21 MB drafts provincial OIC.					MTS Facilities - cable and pedestal - Legal description needed for insertion into 28(2) permit. Hydro Distribution - electrical lines - Legal description needed for insertion into 28(2) permit. MDSA resolved, no services required.	C			
Wuskwi Sipiik	Bell River North (3-02)	1,955.27	1	2.20 ISC RDG grants AIP 2.22a ISC sends RSM to MB noting conditions 2.22b ISC circulates RSM to TLEC 2.23 ISC circulates RSM to EFN 2.25c ISC signs RSM 2.27a ISC prepares survey instructions.		2.31 DOS (MB) reviews provisional plan of survey and issues tentative approval.		2.21a TLEC assists EFN in resolution of TPI/encumbrance.			Road Drain - Plan 1489 (M) - to be excluded Access Agreement - Bell Canyon Lookout Point (m). Consultation must be addressed prior to parcel proceeding further. RSM to be adjusted once TPI (Bell Canyon access agreement) resolved and will then be circulated.	C			
Buffalo Point	Birch Point (1)	138.75	1								Park withdrawal internal task. Eligible. Issues regarding Road, Boat Launch, Parking Lot, Light Beacon and Breakwater and picnic structures to be addressed.	D		EFNP	
Buffalo Point	Water lot Parcels A, B, and C Plan 17479 WLTO	0	1					EFN to meet with DFO on whether DFO prepared to divest ownership of Wharf.			MANA letter to BPFN Oct. 24, 2012 - Concern with Parcel A re: small craft safety -structures in waterway. Meeting held with DFO Dec. 2015, prepared to relinquish interest on all 3 Water Lots A, B, & C back to MB required by reversionary clause. Procedure to be identified, Includes Breakwater structure. DFO to provide report. DFO is consulting on this parcel.	D			Initiated
Bunibonibee	Knee Lake Lodge (1-2000) Phase 1	1,408.49	1	2.16 INAC/EFN EA Site Visit/Screening. 2.22a ISC sends RSM noting conditions if any to MB.							NRCan to prepare RSM subject conditions. Phase 1. BCR 201-1043.	D		EFNP	
Bunibonibee	Knee Lake Lodge (1-2000) Phase 2	103.30	1	2.21c Canada confirms agreement to method of resolution				2.21a TLEC assists EFN in resolution of TPI/encumbrance.			TPI - MISC 3482 - Airstrip TPI - MISC 3482 - Lodge Tourist Operation Impact - Reasonable Use. add in access road as part of Phase 2 Need to	D			

3915,586.73

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God's Lake	Elk Island (2-2000)	11,499.70	1	2.17a ISC completes ESA checklist or final report.				2.21a TLEC assists EFN in resolution of TPI/encumbrance.			Currently, ISC environment group has determined the parcel is ineligible due to high contamination unless Manitoba can provide documentation to suggest otherwise. Manitoba plans to schedule a meeting with ISC to discuss further.	D			
God's Lake	Kanuchuan Rapids (1-2000)	544.17	1	2.21c Canada confirms agreement to method of resolution.				2.21a TLEC assists EFN in resolution of TPI/encumbrance.		Remediation clean up site program -EFN to send proposal to Mines Branch.	RSM to be adjusted upon TPI resolution and then circulated.	D			
God's Lake	Elk Island (2-2000-B)	193.20	1	2.17a ISC completes ESA checklist or final report. 2.21c Canada Confirms agreement to method of resolution.				2.21a TLEC assists EFN in resolution of TPI/encumbrance.			TPI - Mining Claim - GoGo Currently, ISC environment group has determined the parcel is ineligible due to high contamination unless Manitoba can provide documentation to suggest otherwise. Manitoba plans to schedule a meeting with ISC to discuss further.	D		EFNP	
God's Lake	Little Stull Lake (9) - Phase 2	1,154.74	1	2.21c Canada Confirms agreement to method of resolution. 2.22a ISC sends RSM noting conditions if any to MB.				2.11 TLEC/EFN analyze methods of resolution.		EFN sent BCR and map BCR 296-974 dated March 11, 2015 phasing selection for survey.	TPI - Mining Claim - Katie 1 - W50856 TPI - Mining Claim - Katie 2 - W50857 TPI - Mining Claim - Katie 3 - W50858 TPI - Mining Claim - Gail 1 - W50863 TPI - Mining Claim - Gail 2 - W50864 TPI - Mining Claim - Island 2 - W52235 TPI - Mining Claim - Ken 1 - W52561 MB received BCR and map from ISC February 22, 2016 re: phasing selection for survey.	D			
Manto Sipi	Lot 1 Plan 2491 & Pt. Plan 4955 (B)	10.75	1	2.21c Canada confirms agreement to method of resolution ,				2.21a TLEC assists EFN in resolution of TPI/encumbrance.			GP 2740 - Lodge.	D			
Manto Sipi	Elk Island (17.1)	15.50	1	2.17a ISC completes ESA checklist or final report.				2.21a TLEC assists EFN in resolution of TPI/encumbrance.		Contamination is not a TPI	Parcel is surveyed. Currently, ISC environment group has determined the parcel is ineligible due to high contamination unless Manitoba can provide documentation to suggest otherwise. Manitoba plans to schedule a meeting with ISC to discuss further.	D			
Manto Sipi	Elk Island (17.2)	17.18	1	2.17a ISC completes ESA checklist or final report.				2.21a TLEC assists EFN in resolution of TPI/encumbrance.		Contamination is not a TPI	Parcel is surveyed. Currently, ISC environment group has determined the parcel is ineligible due to high contamination unless Manitoba can provide documentation to suggest otherwise. Manitoba plans to schedule a meeting with ISC to discuss further.	D			

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Manto Sipi	Elk Island (17.3)	30.27	1	2.17a ISC completes ESA checklist or final report.				2.21a TLEC assists EFN in resolution of TPI/encumbrance.		Contamination is not a TPI	Parcel is not surveyed. Currently, ISC environment group has determined the parcel is ineligible due to high contamination unless Manitoba can provide documentation to suggest otherwise. Manitoba plans to schedule a meeting with ISC to discuss further. RSM to be adjusted upon TPI resolution and then circulated.	D			
Manto Sipi	Elk Island (17.4)	25.48	1	2.17a ISC completes ESA checklist or final report.				2.21a TLEC assists EFN in resolution of TPI/encumbrance.		Contamination is not a TPI	Parcel is surveyed. Currently, ISC environment group has determined the parcel is ineligible due to high contamination unless Manitoba can provide documentation to suggest otherwise. Manitoba plans to schedule a meeting with ISC to discuss further.	D			
Manto Sipi	Elk Island (17.5)	50.92	1	2.17a ISC completes ESA checklist or final report.				2.21a TLEC assists EFN in resolution of TPI/encumbrance.		Contamination is not a TPI	Parcel is surveyed. Currently, ISC environment group has determined the parcel is ineligible due to high contamination unless Manitoba can provide documentation to suggest otherwise. Manitoba plans to schedule a meeting with ISC to discuss further.	D			
Manto Sipi	Elk Island (17.6)	22.68	1	2.17a ISC completes ESA checklist or final report.				2.21a TLEC assists EFN in resolution of TPI/encumbrance.		Contamination is not a TPI	Parcel is surveyed. Currently, ISC environment group has determined the parcel is ineligible due to high contamination unless Manitoba can provide documentation to suggest otherwise. Manitoba plans to schedule a meeting with ISC to discuss further.	D			
Manto Sipi	Johnson Peninsula (18)	292.79	1	2.21c Canada Confirms agreement to method of resolution.				2.21a TLEC assists EFN in resolution of TPI/encumbrance.			Private Minerals. - ISC to determine if a FMAA or Pre-Permit will be issued. RSM to be adjusted upon TPI resolution and then circulated.	D			
Manto Sipi	Wapawaka Bay (Edmund Lake) (13)	50.69	1	2.21c Canada Confirms agreement to method of resolution.		Letter from MB dated December 7, 1999 advises this selection is not available because it is "pristine wilderness" .		EFN to meet with lodge owner tentatively in June 2011. EFN to send request to MB about the location of lodge.			TPI - GP 4527 - Lodge Tourist Operation Impact-EFN to meet with lodge owner tentatively in June 2011. EFN to send request to MB about the location of lodge.	D			

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Manto Sipi	Kistigan Lake (12)	1,600.15	1	2.21c Canada Confirms agreement to method of resolution		Mining Claims - Canada and MB to meet to discuss options to deal with mining interests on selections.		2.11 TLEC/EFN analyze methods of resolution.			TPI - Mining Claim - Andrew 1 - W50853 TPI - Mining Claim - Cole 1 - W52072 TPI - Mining Claim - Cole 2 - W52073 TPI - Mining Claim - Cole 3 - W52074 TPI - Mining Claim - Otter 1 - W52079 TPI - Mining Claim - Otter 2 - W52080 RSM to be adjusted upon TPI resolution and then circulated.	D		EFNP	
Manto Sipi	Little Stull Lake (Additional) (12-01)	542.40	1	2.21c Canada Confirms agreement to method of resolution.		Mining Claims Canada and MB to meet in Q1 to discuss options to deal with mining interests on selections.		2.11 TLEC/EFN analyze methods of resolution			TPI - Mining Claim - Andrew 1 - W50853 (M) TPI - Mining Claim - Andrew 2 - W50854 (M) TPI - Mining Claim - Andrew 3 - W50855 (M) TPI - Mining Claim - Cole 1 - W52072 TPI - Mining Claim - Cole 2 - W52073 TPI - Mining Claim - Cole 3 - W52074 TPI - GP 6476 Pt NE 28-64-9E 2nd FIPPA request made. RSM to be adjusted upon TPI resolution and then circulated.	D			
Manto Sipi	Little Stull Lake (Amended) (7-01)	818.33	1	2.21c Canada Confirms agreement to method of resolution		Mining Claims - Canada and MB to meet to discuss options to deal with mining interests on selections.		2.11 TLEC/EFN analyze methods of resolution			TPI - Mining Claim - Cabin 2 - W50862 RSM to be adjusted upon TPI resolution and then circulated. Survey contract awarded.	D			
Manto Sipi	Johnson Bay (Amended) (6-01)	512.38	1	2.21c Canada Confirms agreement to method of resolution.		Independen t review completed on the validity of interest by June 30, 2011		2.21a TLEC assists EFN in resolution of TPI/encumbrance.			TPI - Mining Claim - Godslith - W45426 318.28 acres are encumbered by the mining claim. MSCN filed statement of claim against MB in 2015. Negotiation table option under review. RSM sent to EFN for review and signature.	D		EFNP	
Mathias Colomb	Granville Lake 2A Phase 1 (2A Ph 1)	1,118.23	1	2.21c Canada Confirms agreement to method of resolution.				2.21a TLEC assists EFN in resolution of TPI/encumbrance.			Hydro Distribution MTS Facilities Land in a Northern Community (Granville Lake) TPI interests - Granville Lake - Northern Affairs Hydro Easement requirement was withdrawn 25-Apr-2012 Lagoon Road - Access Agreement RSM to be adjusted upon TPI resolution and then circulated.	D		EFNP	
Mathias Colomb	Pawistik Falls (14)	814.63	1	2.17a INAC completed ES checklist or final report.				2.21a TLEC assists EFN in resolution of TPI/encumbrance.		Phase 2 EA acceptance BCR needed	Potential contamination to be addressed. Manitoba passed Provincial OIC July 12, 2017. Significant contamination issue. Indigenous Services Canada has completed consultation requirements. ISC hand delivered ENV letter to Manitoba outlining contamination to Chief Lorna Bighetty, February 20, 2019.	D	ARB		Complete

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Mathias Colomb	Burntwood Lake (4)	1,189.60	1	Pending resolution of TPI. 2.14 ISC begins RSM preparation. 2.21c Canada confirms agreement to method of resolution.				2.21a TLEC assists EFN in resolution of TPI/encumbrance.			TPI - GP 2723 - Lodge Tourist Operation Impact RSM to be adjusted upon TPI resolution and then circulated.	D			
Mathias Colomb	Granville Lake 2A Phase 2 (2A Ph2)	36.37	1								MCCN currently addressing MB Housing issues on this selection - Hydro easement requirement removed on 25-Apr- 2012.	D			
Opaskwayak	Egg Lake Access Road Phase 2 (1-05R)	5.19	1	2.18 ISC sends ATR submission to ARC. 2.21c Canada confirms agreement to method of resolution.				2.17b TLEC assists in securing the acceptance EA BCR from EFN 2.21a EFN resolves TPI / encumbrances 2.30b TLEC assists in securing the naming BCR for the new reserve from the EFN.			AIP required prior to Community Approval Process in order for Canada and Manitoba to proceed with the transfer of lands. Hydro Distribution for Plan # 50047. Access - Public Access Road - Egg Lake (M) ROW permit under OCN Land Code. AIP is under review by ISC.	D		EFNP	
Opaskwayak	Egg Lake Acquisition (former rehab centre, Surplus Prov Crown Land) (1-08)	45.50	1	2.18 ISC sends ATR submission to ARC. 2.21c Canada confirms agreement to method of resolution.				2.17b TLEC assists in securing the acceptance EA BCR from EFN 2.21a EFN resolves TPI / encumbrances 2.30b TLEC assists in securing the naming BCR for the new			Draft AIP package under review. Hydro Distribution Facility - Permit under OCN Land Code required.	D			
Opaskwayak	Cemetery Lake (6-2000) Phase 2	643.93	1	2.18 ISC sends ATR submission to ARC. 2.21c Canada confirms agreement to method of resolution.				2.21a TLEC assists EFN in resolution of TPI/encumbrance.			Hydro Distribution Private Minerals/Canpar - 26-55-26 WPM FNLMA - Community Approval Land in a Municipality - RM of Kelsey GRA Closure - TBD	D			
Norway House	Costes Lake A (6-01A)	21.04	1	2.27c Contractor completes survey.	Met 2.27a February 19, 2019.			2.21a TLEC assists EFN in resolution of TPI/encumbrance.			Survey contract awarded. NHCN to address unregistered interest Steven Robertson per parcel review meeting November 14, 2018.	D		EFNP	

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Norway House	Bolton River (4-01)	1949.25	1	2.17a ISC completes ES checklist or final report. 2.20 ISC RDG/DM considers/grants conditional AIP. 2.21c Canada confirms agreement to method of resolution.	Met 2.20 February 19, 2019.			2.11 TLEC/EFN analyze methods of resolution. 2.21a EFN resolves TPI/encumbrances.	2.11 Met	2.21a Not Met	TPI GP 4497 trapper's cabin identified. William Lorne (deceased) GP holder is Ryan Tony Clarence Simpson - Per all party review meeting NHCN will address.	D		EFNP	
Norway House	Lebrix Lake A (21-01A)	733.70	1	2.21c Canada confirms agreement to method of resolution.				2.21a TLEC assists EFN in resolution of TPI/encumbrance.			ISC has completed consultation requirements. POIC requested June 13, 2018. TPI identified (General permit No. 3351 Remote Cottage) - PTUA and surrender with FN internal. NHCN to confirm naming of reserve as there are 2 naming BCR's on file. GP Holder Terry Mowatt and unregistered interest holder Harold Wilson identified in EA to be resolved.	D			Complete
Norway House	Belanger River (1-02)	3701.17	1	2.20 ISC RDG/DM AIP Complete. 2.33 ISC forwards legal description to MB.		2.35 MB approves transfer by OIC.		2.21a TLEC assists EFN in resolution of TPI/encumbrance.			Prior to requesting the Provincial OIC, ISC requires the completion of consultation. BCR received by ISC confirming structure is band owned and for communal use. Received March 15-2019 letter acknowledging BCR sent to EFN March 19, 2019.	C			To be initiated
Norway House	Mission Island (9.02)	136.63	1	2.21c Canada confirms agreement to method of resolution.		Access agreement to TLEC.		EFN to coordinate meeting with Northern Affairs Community.			Private Land - NW 18-57-3 WPM Access Agreement - Private Lands WPR Withdrawal Nelson River (internal task) Hydro Distribution Land in a Northern Community - Norway House. to coordinate meeting with Northern Affairs Community.	D			
Norway House	North Molson Lake A&D Plan 39 (3-ISLB)	317.20	1	2.21c Canada confirms agreement to method of resolution.				2.21a TLEC assists EFN in resolution of TPI/encumbrance.			Unauthorized structures - RSM Status to be verified. TLEC to have EFN send ISC an email confirming Band Ownership of structure.	D		EFNP	
Opaskwayak	Saskeram WMA (1)	1,439.59	1	2.21c Canada confirms agreement to method of resolution.				2.21a TLEC assists EFN in resolution of TPI/encumbrance.			Ducks Unlimited Private Land AIP Letter required prior to Community Approval. RSM to be adjusted upon TPI resolution and then circulated.	D			
Opaskwayak	Fischer Island (8-2000)	798.27	1	2.21c Canada confirms agreement to method of resolution.				2.21a TLEC assists EFN in resolution of TPI/encumbrance.			ESA visit July 2002 Riparian Rights issue Ducks Unlimited Control Structure AIP Letter required prior to Community Approval. RSM to be adjusted upon TPI resolution and then circulated.	D			
Opaskwayak	Trapline (7-2000)	157.41	1	2.21c Canada confirms agreement to method of resolution.				2.21a TLEC assists EFN in resolution of TPI/encumbrance.			ESA visit July 2002 Riparian Rights issue Ducks Unlimited Full Supply Line AIP Letter required prior to Community Approval. RSM to be adjusted upon TPI resolution and then circulated.	D			

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Opaskwayak	Parcel B, Plan 38784 PLTO Post Office, Acquisition (1-04)	0.00	1	2.21c Canada confirms agreement to method of resolution.				2.21a TLEC assists EFN in resolution of TPI/encumbrance.			MDSA with Town of The Pas required.	D			
Opaskwayak	Barrier Settlement (8)	9.85	1	2.21c Canada confirms agreement to method of resolution 2.27b survey contract awarded 2.27c ISC/contractor completes survey 2.28a ISC/contractor sends provisional plans to LTO.	2.27b Met 2.27c Met October 14, 2016			2.21a EFN resolves TPI/encumbrances.		Unregistered Interest - Cabin AIP Letter required prior to Community Approval Process.	Unresolved unregistered interest (cabin) - One cabin is present on Lot 7, one outhouse on Lot 7. RSM has not been signed by all parties, but survey is currently taking place. The selection and the acquisition of the same name will move together. Unregistered Interest - Cabin AIP Letter required prior to Community Approval	D			
Opaskwayak	Donfield Farms Ltd. (15- 01) (Selection)	2640.00	1	2.21c Canada confirms agreement to method of resolution.				2.21a TLEC assists EFN in resolution of TPI/encumbrance.			BelIMTS Easement Hydro Distribution Facilities Land in a Municipality - RM of Kelsey FNLMA - Community Approval	D			
Opaskwayak	Donfield Farms Ltd. (15- 01A) (Acquisition)	1625.00	1	2.21c Canada confirms agreement to method of resolution.				2.21a TLEC assists EFN in resolution of TPI/encumbrance.			Hydro Distribution - FNLMA - Utility Permit BelIMTS Easement - Caveat #1033030/3-Utility Permit BelIMTS Easement - Caveat #1131952/3-Utility Permit BelIMTS Easement - Caveat #1032985/3-Utility Permit BelIMTS Easement - Caveat #103028/3-Utility Permit BelIMTS Easement - Caveat #1033029/3-Utility Permit BelIMTS Easement - Caveat #1032984/3-Utility Permit BelIMTS Easement - Caveat #1032383/3-Utility Permit FNLMA - Community Approval Land in a Municipality - RM of Kelsey	D			
Rolling River	1-11-19W (Brownridge Farms) acquisition	534.23	1	3.10b ISC RDG grants AIP 3.12 ISC determines survey requirements, if any.				2.21a EFN resolves TPI/encumbrances.		EFN awaiting confirmation of ISC to issue Eric Stanzelite FMAA for 2/5 mineral interest.	The FNs are currently determining if TLE or non legal ATR is best approach. Currently City of Brandon provides. FMAA to be revisited with new template - Draft to be confirmed from Working Group. NRCan is providing a new status of title. No ESA.	D		EFNP	Complete

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Rolling River	NW 1/4 13-19-21 (Stuart Lake Selection)	5.12	1	2.22a ISC sends RSM to MB noting conditions 2.22b ISC circulates RSM to TLEC 2.23 ISC circulates RSM to EFN 2.25c ISC signs RSM 2.27a ISC prepares survey instructions.	2.22a Met October 16, 2018. 2.22b met 2.23 met 2.25c Met January 25, 2019	2.25b MB signs RSM with conditions if any.		2.25a EFN signs RSM with conditions if any.			Survey and ESA being contracted and scheduled by ISC for 2019. Survey instruction to exclude road allowance. Added to the potential survey list for 2019-2020.	D		EFNP	
Rolling River	Site 6-11 - N 1/2 of the SW 1/4 28-16-19 WPM (Former Strand) acquisition	160.00	1	3.10b ISC RDG grants AIP 3.12 ISC determines survey requirements, if any.		3.11b MB confirms agreement with the methods proposed to resolve all issues.		2.21a TLEC assists EFN in resolution of TPI/encumbrance.			MIT wants 24 acres to enhance PR 270. RRFN provided terms to MIT. Meeting to be scheduled following a meeting with ISC. See 5-11 6-11 7-11). No ESA. Consultation letters were sent on March 8, 2019. Responses requested by May 7, 2019.	D		EFNP	Initiated
Rolling River	Site 5-11 - NW 1/4 28-16- 19 (Former Strand) acquisition	160.00	1	3.10b ISC RDG grants AIP 3.12 ISC determines survey requirements, if any.		3.11b MB confirms agreement with the methods proposed to resolve all issues.		2.21a TLEC assists EFN in resolution of TPI/encumbrance.			MIT wants 24 acres to enhance PR 270. RRFN provided terms to MIT. Meeting to be scheduled following a meeting with AANDC. See 5-11 7 6-11). No ESA. Consultation letters were sent on March 8, 2019. Responses requested by May 7, 2019.	D		EFNP	Initiated
Rolling River	Site 2-11 - NE 1/4 27-16- 19 WPM (Former Strand)	160.00	1	3.10b ISC RDG grants AIP 3.12 ISC determines survey requirements, if any.				2.21a TLEC assists EFN in resolution of TPI/encumbrance.			No TPIs. ESA being contracted and scheduled by ISC for spring, 2019. Consultation letters were sent on March 8, 2019. Responses requested by May 7, 2019.	D		EFNP	Initiated
Rolling River	Site 3-11 - NW 1/4 27-16- 19 WPM (Former Strand)	160.00	1	3.10b ISC RDG grants AIP 3.12 ISC determines survey requirements, if any.							No TPIs. ESA being contracted and scheduled by ISC for spring, 2019. Consultation letters were sent on March 8, 2019. Responses requested by May 7, 2019.	D		EFNP	Initiated
Rolling River	Site 1-11 - SE 1/4 27-16- 19 WPM (Former Strand)	160.00	1	3.10b ISC RDG grants AIP 3.12 ISC determines survey requirements, if any.							No TPIs. ESA being contracted and scheduled by ISC for spring, 2019. Consultation letters were sent on March 8, 2019. Responses requested by May 7, 2019.	D		EFNP	Initiated
Rolling River	Site 4-11 - NE 1/4 28-16- 19 WPM (Former Strand)	160.00	1	3.10b ISC RDG grants AIP 3.12 ISC determines survey requirements, if any.							No TPIs. ESA being contracted and scheduled by ISC for spring, 2019. Consultation letters were sent on March 8, 2019. Responses requested by May 7, 2019.	D		EFNP	Initiated

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Rolling River	Undeveloped Road Allowances (acquisition)	87.10	1					3.1 EFN purchases land, holds title and enters in to binding offer to purchase or offer to purchase subject to conditions.		Meeting held with CSW, awaiting confirmation letter from MB.	Manitoba to Provide Letter confirming transfer to RRFN. MBSD has not advised that it's eligible yet.	D			
Rolling River	Site 7-11 - N 1/2 of NW 1/4 of 20-16-19 WPM (Former Strand)	80.00	1	3.10b ISC RDG grants AIP 3.12 ISC determines survey requirements, if any.							No TPIs. ESA being contracted and scheduled by ISC for spring, 2019. Consultation letters were sent on March 8, 2019. Responses requested by May 7, 2019.	D		EFNP	Initiated
Rolling River	Site 8-11 - SW 1/4 35-16-19 WPM (Former Strand)	160.00	1	3.10b ISC RDG grants AIP 3.12 ISC determines survey requirements, if any.							No TPIs. ESA being contracted and scheduled by ISC for spring, 2019. Consultation letters were sent on March 8, 2019. Responses requested by May 7, 2019.	D		EFNP	Initiated
Sapotaweyak	Pelican Rapids Access Road Phase 2 (Amended) (1-03)	5,281.93	1	2.10a ISC begins AIP submission. 2.22a ISC sends RSM noting conditions to MB		2.21b MB confirms agreement with methods proposed to resolve all issues.					SCN meeting with Graymont & MB on Easement Agreement Quarry Lease - QL 1209, Quarry Lease - QL 1211 , Quarry Lease - QL 1210, Quarry Lease - QL 516, 567, 566, 565, 517, expired May 7, 2012. GP 956-All weather Road Access, GP 1351 - Remote Cottage (hunting/fishing), GP 1882 -Remote Cottages (recreation) Cottages to be excluded upon signing of the RSM. Phase II EA completed. RSM to be adjusted upon TPI resolution and then circulated. Ongoing discussions between the EFN and Manitoba. From Manitoba letter dated, April 17, 2019: Pelican Rapids Phase II . The First Nation stated that the mining leases, which are held by Graymont of Richmond, BC, expired in 2002 and no mining activity has taken place in many years. The Chief questioned why a third party interest remains. Manitoba committed to following up with Mines Branch to inquire whether there is any change regarding these mining claims. As an update, we have confirmed that there is no change regarding these claims. Sapotaweyak Cree Nation is encouraged to continue discussions with Graymont on the resolution of these third party interests. RSM on hold until SCN resolves mining issues.	D		EFNP	
War Lake	Weir River (14-02)	872.91	1	2.21c Canada confirms agreement to method of resolution				2.21a TLEC assists EFN in resolution of TPI/encumbrance.			Competing Interest - Fox Lake FN (as per ISC & TRELES) Access - Abandoned Railway. WMA - Cape Churchill - No concerns. A meeting is being scheduled with EFN, Fox Lake FN, MB, TLEC and ISC.	D		EFNP	

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Wuskwi Sipiik	Nicholls (1-14)	406.64	1	2.22a ISC sends RSM to MB noting conditions 2.22b ISC circulates RSM to TLEC 2.23 ISC circulates RSM to EFN 2.25c ISC signs RSM 2.27a ISC prepares survey instructions.	2.22a Met 2.22b Met 2.23 Met			2.17b EFN accepts ESA. 2.25 EFN signs RSM.			Provincial Waterway (Schlagg Drain) Plan No. 2518 DLTO runs along the south boundary of the selection and will be excluded. ESA being contracted and scheduled by ISC for 2019.	D			
Wuskwi Sipiik	Lot 1 Plan 54719 DLTO (Swan River Acquisition) (1-14A) (acquisition)	1.00	1	3.19a EFN registers survey at LTO. 3.19b NRCan records survey in CLSR. 3.20 ISC forwards legal description to MB.	3.19a met 3.19b Met February 20, 2019.						MB Hydro has electrical services affecting this acquisition - Caveat 1093383/6. Swan Valley Gas Corporation has a natural gas line traversing this acquisition - Caveat 1018299/6. Centra Gas Manitoba Inc has applied to the Public Utilities Board to acquire the assets of the Swan Valley Gas Corporation. MTS Allstream Inc has a 5 metre easement along the southerly, northerly, and westerly 5-metres of this acquisition. Swan Valley Co-op has caveat on title. ESA being contracted and scheduled by ISC for 2019.	D		EFNP	Complete
Wuskwi Sipiik	Wellman Lake (1-18)		1	2.9 ISC commences land use/title search.		2.8 MB notifies EFN if parcel is eligible	2.28 Met Nov. 26, 2018.				Lots C&D TPI - PCML 71466 (sublease to Wuskwi Sipiik FN) Provincial Park-Duck Mountain-not available FA 3.03(6)	D			
Barren Lands	Lower Cochrane (2)	4,837.55	1	2.21c Canada confirms agreement to method of resolution				2.21a EFN resolves TPI/encumbrances.			Sask Power Regulation of Water body Winter Road	E	ESA desk audit was accepted, OIC already done in 2006	EFNP	
Barren Lands	Long Point (6)	2,973.61	1	2.21c Canada confirms agreement to method of resolution				2.21a EFN resolves TPI/encumbrances.			Sask Power Regulation of Water body - BLFN addressing SP with legal counsel.	E		EFNP	
Barren Lands	Paskwachi Bay (3)	8,529.17	1	2.21c Canada confirms agreement to method of resolution				2.21a EFN resolves TPI/encumbrances.			Sask Power Regulation of Water body Pending resolution of TPI. 2.14 ISC begins RSM preparation Next steps to be determined following response from SASK POWER dated March 28, 2012 RSM preparation to begin once TPI is resolved.	E		EFNP	
Barren Lands	Reserve East (1-06)	11,101.27	1	2.21c Canada confirms agreement to method of resolution				2.21a EFN resolves TPI/encumbrances.			Sask Power Regulation of Water body RSM preparation to begin once TPI is resolved.	E		EFNP	

57 44,803.36

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Barren Lands	Sawbill (5)	694.64	1	2.21c Canada confirms agreement to method of resolution				2.21a EFN resolves TPI/encumbrances.			Sask Power Regulation of Water body RSM preparation to begin once TPI is resolved.	E		EFNP	
Brokenhead	Bannock Point Petro forms (6)	276.99	1	2.21c Canada confirms agreement to method of resolution				2.21a TLEC assists EFN in resolution of TPI/encumbrance.			Whiteshell Provincial Park - EFN hosted parks forum with other First Nations and invited MB, Oct 5 & 6, 2015. BON co-host FN Gathering at Manito Api Whiteshell May 21 -24, 2016 to Options. RSM to be adjusted once TPI is resolved.	E			
Brokenhead	Pine Point (5)	471.04	1	2.21c Canada confirms agreement to method of resolution				2.21a TLEC assists EFN in resolution of TPI/encumbrance.			Whiteshell Provincial Park EFN hosted parks forum with other First Nations and invited MB, Oct 5 & 6, 2015. BON co-hosting FN Gathering at Manito Api Whiteshell May 21 -24, 2016 to Options. RSM to be adjusted once TPI is resolved. EFN in Co- Management discussions with the Province over Park management. MB TRELES indicates that this is not eligible.	E			
Brokenhead	Tie Creek Petro forms (7)	88.81	1	2.21c Canada confirms agreement to method of resolution				2.21a TLEC assists EFN in resolution of TPI/encumbrance.			Whiteshell Provincial Park EFN hosted parks forum with other First Nations and invited MB, Oct 5 & 6, 2015. BON co-hosting FN Gathering at Manito Api Whiteshell May 21 -24, 2016 to Options. RSM to be adjusted once TPI is resolved. MB TRELES indicates that this is not eligible.	E			
Brokenhead	Bannock Point Rehabilitation Camp (4)	20.76	1	2.21c Canada confirms agreement to method of resolution				2.21a TLEC assists EFN in resolution of TPI/encumbrance.			Whiteshell Provincial Park EFN hosted parks forum with other First Nations and invited MB, Oct 5 76, 2015.BON co-hosting FN Gathering at Manito Api Whiteshell May 21 -24, 2016 to Options. RSM to be adjusted once TPI is resolved. MB TRELES indicates that this is not eligible,	E			
Buffalo Point	PTH 12 Acquisition (1-06)	70.04	1	2.21c Canada confirms agreement to method of resolution				EFN and MIT to discuss resolution of the set back line.			Hydro Distribution Facilities Road PTH # 12 - fa 13.03c Taxes paid - Tax Certificate issued Meetings held - MIT, MINR, TLEC. MIT seeks to maintain 'control zone'. Further meeting required to discuss Options. Meeting to be held April, 2016 with BPFN, INR, MIT, TLEC, ISC. Canada Border Services owns and intends to continue administration of Kitts Duty Free Shop & not interested in selling. CBS Building Expansion plans. MIT to provide new Appraisal.	E			
Buffalo Point	Thunder Lake Island (1-10)	41.96	1	2.21c Canada confirms agreement to method of resolution				This parcel is in a provincial park. MB has advised it is not available.				E			

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Brokenhead	West - Parcel 1 (Lac du Bonnet South) (1-01) West Shore	74.00	1	2.21c Canada confirms agreement to method of resolution				2.21a EFN resolves TPI/encumbrances.		BON has provided a BCR agreeing to the H-EA they have drafted in response to the 2007 version provided by Canada and Manitoba. BON continues negotiations with MB & MB Hydro.	WPR Withdrawal Winnipeg (internal task) WPL Withdrawal McArthur Final (internal task) Hydro Easement Estimate 840.88' (1.5%) By letter dated January 30, 2013, AANDC requested that MB provide a breakdown of the TPIs & acreages for each of the phases of Lac du Bonnet South Parcel 1-01 (A, B, B1, B2, B3 & C).	E			
Brokenhead	C - Parcel 1 (Lac du Bonnet South) (1-01) Phase C	47.00	1	2.21c Canada confirms agreement to method of resolution				2.21a EFN resolves TPI/encumbrances.		BON has provided a BCR agreeing to the H-EA they have drafted in response to the 2007 version provided by Canada and Manitoba. BON continues negotiations with MB & MB Hydro.	WPR Withdrawal Winnipeg (internal task) WPL Withdrawal McArthur Final (internal task) Hydro Easement Estimate 840.88' (1.5%) By letter dated January 30, 2013, AANDC requested that MB provide a breakdown of the TPIs & acreages for each of the phases of Lac du Bonnet South Parcel 1-01 (A, B, B1, B2, B3 & C).				
Brokenhead	Parcel 2A (Lac du Bonnet South) (2-01A)	278.64	1	2.21c Canada confirms agreement to method of resolution				2.21a EFN resolves TPI/encumbrances.	BON has provided a BCR agreeing to the H-EA they have drafted in response to the 2007 version provided by Canada and Manitoba.	BON has provided a BCR agreeing to the H-EA they have drafted in response to the 2007 version provided by Canada and Manitoba.	Hydro Easement Estimate 840.22' (7.5%).EFN to confirm whether they intend to meet separately with hydro to attempt to reach agreement on the hydro easement or wait for the resolution of this matter at IMC.	E		EFNP	
Brokenhead	Parcel 2B (Lac du Bonnet South) (2-01B)	501.90	1	2.21c Canada confirms agreement to method of resolution.				2.21a EFN resolves TPI/encumbrances.	BON has provided a BCR agreeing to the H-EA they have drafted in response to the 2007 version provided by Canada and Manitoba.	BON has provided a BCR agreeing to the H-EA they have drafted in response to the 2007 version provided by Canada and an Manitoba. Negotiations.	Hydro Easement Estimate 840.22' (6.8%) BON negotiating with MB & MB Hydro.EFN to confirm whether they intend to meet separately with hydro to attempt to reach agreement on the hydro easement or wait for the resolution of this matter at IMC.	E		EFNP	

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Brokenhead	Parcel 2C (Lac du Bonnet South) (2-01C)	125.15	1	2.21c Canada confirms agreement to method of resolution.				2.21a EFN resolves TPI/encumbrances.	BON has provided a BCR agreeing to the H-EA they have drafted in response to the 2007 version provided by Canada and Manitoba.	BON has provided a BCR agreeing to the H-EA they have drafted in response to the 2007 version provided by Canada and Manitoba. BON continues negotiations with MB & MB Hydro.	Hydro Easement Estimate 839.57' (31.7%) EFN to confirm whether they intend to meet separately with hydro to attempt to reach agreement on the hydro easement or wait for the resolution of this matter at IMC.	E		EFNP	
Brokenhead	Parcel 3 (Lac du Bonnet North) (3-01)	1,057.13	1	2.21c Canada confirms agreement to method of resolution.	2.21a EFN resolves TPI/encumbranc es.			2.21a EFN resolves TPI/encumbrances.	BON has provided a BCR agreeing to the H-EA they have drafted in response to the 2007 version provided by Canada and Manitoba.	BON has provided a BCR agreeing to the H-EA they have drafted in response to the 2007 version provided by Canada and Manitoba. BON continues negotiations with MB & MB Hydro.	Hydro Easement Estimate 841.86' (5.4%) EFN to confirm whether they intend to meet separately with hydro to attempt to reach agreement on the hydro easement or wait for the resolution of this matter at IMC.	E		EFNP	
Buffalo Point	Lands Nearby Middlebro, MB (1-14)	1,494.00	1	2.21c Canada confirms agreement to method of resolution.		Manitoba to identify the area of private land- COMPLETE Private land: E1 / 2NW 5 & NW 6-1-16 EPM (excluded).		2.21a EFN resolves TPI/encumbrances.			Caveat #2496135 - MTS Easement - 28(2) permit. BellMTS Facilities - 28(2) permit required. Land in a Municipality - RM of Piney. Hydro Distribution Line - 28(2) permit required. Road - Prov - PTH 12 - FA 13.03. Caveat #2496136 - MTS Easement - 28(2) permit.	E			
Buffalo Point	Cochrane Island (ON) (None)	540.00	1					EFN to decide next steps. Ontario has advised this parcel is unavailable for selection.			NOT ON TRELES. Selection in Ontario. EFN to decide next steps. Ontario has advised this parcel is unavailable for selection.	E		EFNP	
Buffalo Point	Eagles Rock (ON) (None)	970.00	1					EFN to decide next steps. Ontario has advised this parcel is unavailable for selection.			NOT ON TRELES. Selection in Ontario. EFN to decide next steps. Ontario has advised this parcel is unavailable for selection.	E		EFNP	

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Manto Sipi	Jowsey Island (17.A)	11.97	1	2.16 INAC/EFN EA site visit/screening.				2.21a EFN resolves TPI/encumbrances.			The utility of a Phase II must be discussed since this parcel did not pass the Phase I due to arsenic contamination. ISC Env Officer preparing ESA chronology and obtaining 3rd party reports from Health Canada and preparing recommendation letter for Chief and Council.	E			
Mathias Colomb	Kamuchawie Lake (8)	1,412.35	1	2.21c Canada confirms agreement to method of resolution.				2.21a EFN resolves TPI/encumbrances.			TPI - GP 2500 - Tourist Outcamp WPL Withdrawal Laurie River Final (internal task) Hydro Easement Estimate - Easement Line Photo Map This parcel cannot advance any further without agreement on the hydro easement.	E		EFNP	
Mathias Colomb	Russell Lake 6A (6A)	135.79	1	2.21c Canada confirms agreement to method of resolution.				2.21a EFN resolves TPI/encumbrances.			Hydro Easement Required 1072.80' (56.7%) WPL Withdrawal Laurie River Final (internal task) This parcel cannot advance any further without agreement on the hydro easement.	E			
Mathias Colomb	Russell Lake 6B (6B)	308.95	1	2.21c Canada confirms agreement to method of resolution.				2.21a EFN resolves TPI/encumbrances.			Hydro Easement Required 1072.80 This parcel cannot advance any further without agreement on the hydro easement.	E		EFNP	
Mathias Colomb	Sandy Bay (SK)	115.00	1					2.21a EFN resolves TPI/encumbrances.			MCCN working with SK region to schedule a meeting with SK provincial officials.	E			

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Nisichawayasihk	Birch Tree Brook (Addition) (3-2000)	400.82	1					Meeting in May with MB Hydro and NCN to discuss matter of lands physically required. Hydro Easement. 2.11 TLEC/EFN to analyze methods of resolution. EFN to reply to MB on prioritizing of parcels encumbered by an easement.			Land in a Municipality - LGD of Mystery Lake WPR Withdrawal Burntwood River (internal task) Hydro Easement Required 700' (>50%) 300.00 CLRS Resv - Inco Agreement OC 1154/1967 CLRS Resv - Inco Agreement OC 1734/1956 Road - Prov - PR 280 (M) - FA 13.03	E		EFNP	
Nisichawayasihk	Moak Lake (11-01)	3,626.61	1					2.21a EFN resolves TPI/encumbrances.			Aggregate, LGD Mystery Lake, over 100 Mineral Leases, Road, Private Lands. RSM cannot be prepared until TPIs resolved.	E		EFNP	
Nisichawayasihk	Mile 17 A (Revised) (1-05)	308.29	1					EFN to reply to MB on prioritizing of parcels encumbered by an easement.			Hydro Lands Physically Required - Road & Work CP. Hydro Transmission Line.	E			
Nisichawayasihk	Notigi (6-2000)	149.74	1					2.21a EFN resolves TPI/encumbrances.			Hydro lands physically required.	E			
Nisichawayasihk	Notigi Lake (7-2000)	172.32	1					2.21a EFN resolves TPI/encumbrances.			Hydro lands physically required.	E			
Nisichawayasihk	Manasan Falls (5-2000)	186.05	1					2.21a EFN resolves TPI/encumbrances.			TPI - Mining Claim - P1340A (M) TPI - Mining Claim - P1345A (M) TPI - Mining Claim - P1341A (M) Private Land (m) Private Land (m) Portage/Access-Manasan(m)-w/i physically required TPI - OCC 16 - Water Recording Site (m) CLRS Resv - Inco Agreement OC 1734/1956 CLRS Resv - Inco Agreement OC 1154/1967 WPR Withdrawal Burntwood River (internal task) TPI - Mineral Lease - 14 (M) WPL Withdrawal Churchill River (internal task) Hydro Lands Physically Required TPI - Mineral Lease - 13 (M)	E			
Nisichawayasihk	Mile 17B (1-06)	1,146.89	1					2.21a EFN resolves TPI/encumbrances.			Hydro transmission line; access road privately owned; 100 meter exclusion to access road; TPI issues.	E			

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Northlands	Shannon Lake (17-04)	441.36	1					2.21a EFN resolves TPI/encumbrances.		EFN provided desk audit letter November 7, 2013.	Tourist Operation Impact. This parcel has been referred to the IMC for resolution.	E		EFNP	
Northlands	Nahilin Falls (12-04)	1,498.11	1					2.21a EFN resolves TPI/encumbrances.		EFN provided desk audit letter November 7, 2013	TPI - GP 4541 - Trapper's Cabin WPR Withdrawal Nelson River (internal task) This parcel has been referred to the IMC for resolution.	E		EFNP	
Northlands	Kasmere Lake (Parcel A) (8-04A)	3,994.11	1					2.21a EFN resolves TPI/encumbrances.		EFN provided desk audit letter November 7, 2013	TPI - GP 4497 - Trapper's Cabin. This parcel has been referred to the IMC for resolution.	E		EFNP	
Northlands	Putahow Lake (Site E) (15-04E)	991.97	1					2.21a EFN resolves TPI/encumbrances.		EFN provided desk audit letter November 7, 2013	TPI - GP 6757 - Tourist Outcamp. This parcel has been referred to the IMC for resolution.	E			
Northlands	Stevens Lake (20-04)	152.60	1					2.21a EFN resolves TPI/encumbrances.		EFN provided desk audit letter November 7, 2013	TPI - Tourist Operation Impact - Less than 1000 acres - competing consideration (tourist). This parcel has been referred to the IMC for resolution.	E		EFNP	
Northlands	Burnie Lake (3-04A)	417.70	1					2.21a EFN resolves TPI/Encumbrances.		EFN provided desk audit letter November 7, 2013	TPI GP 2873 - Outcamp (M) Tourist Operation Impact. Less than 1000 acres. ESA acceptance BCR has been received. This parcel has been referred to the IMC for resolution.	E			
Nisichawayasihk	Birch Tree Brook (2-2000)	598.33	1			Hydro Easement. EFN to reply to MB on prioritizing of parcels encumbere d by an easement.		2.11 TLEC/EFN to analyze methods of resolution. EFN to reply to MB on prioritizing of parcels encumbered by an easement.			Land in a Municipality - RM of Mystery Lake. Hydro Communication Cable. Hydro Lands Physically Required. Hydro Easement.	E			
Nisichawayasihk	Chipewyan Bay (3-01)	820.88	1					2.21a EFN resolves TPI/encumbrances.			Hydro Easement Required 810' (M).	E			
Nisichawayasihk	Early Morning Rapids (4-06)	1,760.79	1					2.21a EFN resolves TPI/encumbrances.			Hydro Easement Required 803.01' (47%).	E			

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Nisichawayasihk	Gauer River Addition (4-03)	1,766.39	1					2.21a EFN resolves TPI/encumbrances.			Hydro Easement Estimate 800' (2%).	E			
Nisichawayasihk	Kepuche Falls (8-2000)	1,424.21	1			Hydro Easement.		2.11 TLEC/EFN to analyze methods of resolution. EFN to reply to MB on prioritizing of parcels encumbered by an easement.			Hydro Easement Required 698.8' (>50%). CLRS Resv - Inco Agreement OC 1734/1956. CLRS Resv - Inco Agreement OC 1154/1967.	E		EFNP	
Nisichawayasihk	Parcel W (Plan 5965) (1-2000)	10.52	1					EFN to reply to MB on prioritizing of parcels encumbered by an easement and a response required to MB re: Less than 1,000 acres by Mining Leases 2.11 TLEC/EFN to analyze methods of resolution.			TPI - Mining Lease - M4875 TPI - Mining Lease - M5280 TPI - Mining Lease - M5281 TPI - Mining Lease - M5282 TPI - Mining Lease - M5283 TPI - Mining Lease - M5293 Hydro Distribution Hydro Easement Required 635' Less than 1000 - Competing Consideration (Hydro) MTS Facilities	E			
Nisichawayasihk	Mynarski Lakes (12-01)	492.59	1					2.21a EFN resolves TPI/encumbrances.			Hydro Easement Required 860' (M). Less than 1000 - Competing Consideration (Hydro)	E			
Nisichawayasihk	Osik Lake (13-01)	5,195.00	1					EFN to reply to MB on prioritizing of parcels encumbered by an easement.			Aggregate - NW 3-80-10 WPM MIT - Figure 1. Hydro Easement Required 810' (M).	E		EFNP	
Nisichawayasihk	Reading River (15-01)	1,171.68	1					2.21a EFN resolves TPI/encumbrances.			Hydro Easement Estimate 850.1' (23.8%) (M)	E			
Nisichawayasihk	Reserve 170 to Junction (16-01)	1,043.99	1					2.21a EFN resolves TPI/encumbrances.			Hydro Easement Estimate 803' (2.6%) M Aggregate - NE 7-79-9 WPM (M) Hydro 138KV Transmission Line (M), Private Land - NE 29-79-9 WPM (M) Hydro Distribution, Land within 8km of Northern Community (Nelson House), Private Land (M).	E			

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Nisichawayasihk	Taskinigup Falls Addition (18-01)	300.24	1					2.21a EFN resolves TPI/encumbrances.			Hydro Easement Estimate 771.33' (2.2%) (M).	E			
Nisichawayasihk	Wapisu Lake E (20-01)	5,381.44	1					2.21a EFN resolves TPI/encumbrances.			Hydro Easement Estimate 807.7' (15.3%) (M).	E			
Nisichawayasihk	Wapisu Lake Southwest (21-01)	948.89	1					2.21a EFN resolves TPI/encumbrances.			Hydro Easement Estimate 806.4' (8.4%) (M).	E			
Nisichawayasihk	Wapisu Lake West (22- 01)	1,852.12	1					2.21a EFN resolves TPI/encumbrances.			Hydro Easement Estimate 807.1' (16.5%) (M).	E			
Nisichawayasihk	2.21c Canada confirms agreement to method of resolution.	1,700.93	1					2.21a EFN resolves TPI/encumbrances.			Hydro Monitoring Station. Hydro Easement Estimate 771.98' (8.6%) (M).	E			
Norway House	Crooked Turn (1-12)	0.00	1	2.9 ISC commences land use/title search.				2.21a EFN resolves TPI/encumbrances.			Awaiting confirmation from the EFN on parcel configuration. MB. Working on clarification of this parcel. EFN to discuss possibility of rescinding this selection as per parcel review meeting November 14, 2018.	E			
Nisichawayasihk	Wuskwatim Lake Northeast (25-01)	312.12	1					2.21a EFN resolves TPI/encumbrances.			Hydro Easement Estimate 771.33' (20%) (M). Hydro Monitoring Station.	E			
Nisichawayasihk	Wuskwatim Lake West (27-01)	669.89	1					2.21a EFN resolves TPI/encumbrances.			Hydro Easement Estimate 772.31' (41.7%) (M). Hydro Monitoring Station.	E			
Nisichawayasihk	Manasan Falls (revised) (1-02)	1,003.98	1					2.21a EFN resolves TPI/encumbrances.			Hydro Lands Physically Required. TPI - GP 2191 - Dog Kennel (m). CLRS Resv - O/C 1330/89 - Fire Training College (m). Drain - Effluent Discharge. Hydro Easement Required 635'. Land in a Municipality - RM of Mystery Lake. CLRS Resv - Inco Agreement OC 1734/1956. CLRS Resv - Inco Agreement OC 1154/1967. TPI - Mineral Lease - ML 13 (M). TPI - Mineral Lease - ML 14 (M).	E			
Nisichawayasihk	Leaf Rapids to Gate Falls (8-01)	2,369.78	1					2.21a EFN resolves TPI/encumbrances.			Hydro Monitoring Station. Hydro Easement Estimate 810.7' (5.1%) (M)	E			
Norway House	Big Birch Islands (2-01)	45.34	1	2.21c Canada confirms agreement to method of resolution.				2.21a TLEC assists EFN in resolution of TPI/encumbrance.		EFN to provide desk audit letter.	Hydro Easement Required 720' (> 50%).	E		EFNP	

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Norway House	Jackfish Islands (17-01)	89.46	1	2.21c Canada confirms agreement to method of resolution.				2.21a TLEC assists EFN in resolution of TPI/encumbrance.			Land within 8km of Northern Comm - Norway House. Hydro Easement Required 720' (> 50%). TPI - GP 6018 - Rec. Cottage (M). TPI - GP 2493 - Fish camp (M).	E		EFNP	
Norway House	Playgreen Lake South Shore B (41-01B)	724.61	1	2.21c Canada confirms agreement to method of resolution.				2.21a TLEC assists EFN in resolution of TPI/encumbrance.			Hydro Easement Estimate 219' (25.8%) (M). Less than 1000 - Competing Consideration (Hydro).	E			
Norway House	Playgreen Lake South Shore E (41-01E)	273.64	1	2.21c Canada confirms agreement to method of resolution.				2.21a TLEC assists EFN in resolution of TPI/encumbrance.			Hydro Easement Estimate 219' (24.0%) (M). Less than 1000 - Competing Consideration (Hydro).	E			
Norway House	Playgreen Lake South Shore F (41-01F)	743.30	1	2.21c Canada confirms agreement to method of resolution.				2.21a TLEC assists EFN in resolution of TPI/encumbrance.			Hydro Easement Estimate 219.1 (27.3%) (M). Less than 1000 - Competing Consideration (Hydro).	E			
Norway House	McLeod Islands (26-01)	25.86	1	2.21c Canada confirms agreement to method of resolution.				2.21a TLEC assists EFN in resolution of TPI/encumbrance.			Land in a Northern Community - Norway House. Hydro Easement Estimate 718.50' (48%).	E			
Norway House	McLeod Island Point (27-01)	38.98	1	2.21c Canada confirms agreement to method of resolution.				2.21a TLEC assists EFN in resolution of TPI/encumbrance.			Land in a Northern Community - Norway House. Hydro Easement Required 720' (> 50%).	E			
Norway House	Dennison Point (7-01)	32.57	1	2.21c Canada confirms agreement to method of resolution.				2.21a TLEC assists EFN in resolution of TPI/encumbrance.			Hydro Easement Required 720' (> 50%).	E		EFNP	
Norway House	Flett Point Islands (11-01)	31.62	1	2.21c Canada confirms agreement to method of resolution.				2.21a TLEC assists EFN in resolution of TPI/encumbrance.			Hydro Easement Required 720' (> 50%).	E		EFNP	
Norway House	Goose Islands (12-01)	22.73	1	2.21c Canada confirms agreement to method of resolution.				2.21a TLEC assists EFN in resolution of TPI/encumbrance.			Hydro Easement Required 720' (> 50%).	E		EFNP	
Norway House	Hart Point Islands (14-01)	45.21	1	2.21c Canada confirms agreement to method of resolution.				2.21a TLEC assists EFN in resolution of TPI/encumbrance.			Hydro Easement Required 720' (> 50%).	E		EFNP	
Norway House	Kettle Islands (18-01)	57.97	1	2.21c Canada confirms agreement to method of resolution.				2.21a TLEC assists EFN in resolution of TPI/encumbrance.			Hydro Easement Required 720' (> 50%).	E		EFNP	
Norway House	Kiskittogisu Lake A (19-01A)	30.20	1	2.21c Canada confirms agreement to method of resolution.				2.21a TLEC assists EFN in resolution of TPI/encumbrance.			Hydro Easement Required 720' (> 50%).	E		EFNP	
Norway House	Kiskittogisu Lake B (19-01B)	4.07	1	2.21c Canada confirms agreement to method of resolution.				2.21a TLEC assists EFN in resolution of TPI/encumbrance.			Hydro Easement Required 720' (> 50%).	E		EFNP	
Norway House	Kiskittogisu Lake D (19-01D)	80.52	1	2.21c Canada confirms agreement to method of resolution.				2.21a TLEC assists EFN in resolution of TPI/encumbrance.			Hydro Easement Required 720' (> 50%).	E		EFNP	
Norway House	Kiskittogisu Lake E (19-01E)	114.52	1	2.21c Canada confirms agreement to method of resolution.				2.21a TLEC assists EFN in resolution of TPI/encumbrance.			Hydro Easement Estimate 716.31' (41%).	E		EFNP	
Norway House	Metchanais Island South (29-01)	33.07	1	2.21c Canada confirms agreement to method of resolution.				2.21a TLEC assists EFN in resolution of TPI/encumbrance.			Hydro Easement Required 720' (> 50%).	E		EFNP	
Norway House	Namayo Point Islands (32-01)	9.75	1	2.21c Canada confirms agreement to method of resolution.				2.21a TLEC assists EFN in resolution of TPI/encumbrance.			Land within 8km of Northern Comm - Norway House. Hydro Easement Required 720' (> 50%).	E			
Norway House	Playgreen Lake A (38-01A)	32.73	1	2.21c Canada confirms agreement to method of resolution.				2.21a TLEC assists EFN in resolution of TPI/encumbrance.			Land within 8km of Northern Comm - Norway House. Hydro Easement Required 720' (> 50%).	E			

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First Nation	Site Name (Site#)	Acres	Parcel(s)	Canada Process Steps / Target Date	Canada Status as of Date	Manitoba Process Steps / Target Date	Manitoba Status as of Date	TLEC / EFN Process Steps / Target Date	TLEC Status as of Date	EFN Status as of Date	TPIs/Encumbrances/Comments	Schedule	ARB	Priority Parcel	Consultation
Norway House	Playgreen Lake B (38-01B)	3.73	1	2.21c Canada confirms agreement to method of resolution.				2.21a TLEC assists EFN in resolution of TPI/encumbrance.			Hydro Easement Required 720' (> 50%).	E		EFNP	
Norway House	Playgreen Lake C (38-01C)	5.08	1	2.21c Canada confirms agreement to method of resolution.				2.21a TLEC assists EFN in resolution of TPI/encumbrance.			Hydro Easement Required 720' (> 50%).	E		EFNP	
Norway House	Playgreen Lake Ridge A (39-01A)	6,814.55	1	2.21c Canada confirms agreement to method of resolution.				2.21a TLEC assists EFN in resolution of TPI/encumbrance.			Hydro Easement Estimate 718.5' (5.3%) (M).	E			
Norway House	Playgreen Lake Ridge B (39-01B)	1,163.40	1	2.21c Canada confirms agreement to method of resolution.				2.21a TLEC assists EFN in resolution of TPI/encumbrance.			Hydro Easement Estimate 718.5' (10.3%) (M).	E			
Norway House	Playgreen Lake South Shore A (41-01A)	6.48	1	2.21c Canada confirms agreement to method of resolution.				2.21a TLEC assists EFN in resolution of TPI/encumbrance.			Hydro Easement Estimate 716.54' (48%).	E		EFNP	
Norway House	Playgreen Lake South Shore C (41-01C)	233.10	1	2.21c Canada confirms agreement to method of resolution.				2.21a TLEC assists EFN in resolution of TPI/encumbrance.			Hydro Easement Estimate 716.54'e/718.50'w (25%).	E		EFNP	
Norway House	Playgreen Lake South Shore D (41-01D)	355.18	1	2.21c Canada confirms agreement to method of resolution.				2.21a TLEC assists EFN in resolution of TPI/encumbrance.			Hydro Easement Estimate 716.54' (8%).	E		EFNP	
Norway House	Playgreen Point Island (40-01)	2.09	1	2.21c Canada confirms agreement to method of resolution.				2.21a TLEC assists EFN in resolution of TPI/encumbrance.			Land within 8km of Northern Comm - Norway House. Hydro Easement Required 720' (> 50%).	E		EFNP	
Norway House	Whitefish Islands (48-01)	26.10	1	2.21c Canada confirms agreement to method of resolution.				2.21a TLEC assists EFN in resolution of TPI/encumbrance.			Hydro Easement Required 720' (> 50%).	E		EFNP	
Norway House	Menow Bay A (28-01A)	317.92	1	2.21c Canada confirms agreement to method of resolution.				2.21a TLEC assists EFN in resolution of TPI/encumbrance.			Less than 1000 - Competing Consideration (Hydro). Hydro Easement Estimate 716.86' (16.2%) (M).	E			
Norway House	Menow Bay B (28-01B)	545.04	1	2.21c Canada confirms agreement to method of resolution.				2.21a TLEC assists EFN in resolution of TPI/encumbrance.			Less than 1000 - Competing Consideration (Hydro). Hydro Easement Estimate 718.50' (28.2%) (M).	E			
Norway House	Menow Bay C (28-01C)	753.96	1	2.21c Canada confirms agreement to method of resolution.				2.21a TLEC assists EFN in resolution of TPI/encumbrance.			Hydro Easement Estimate 718.83' (34.0%) (M). Less than 1000 - Competing Consideration (Hydro).	E			
Norway House	Taylor Islands (46-01)	863.31	1	2.21c Canada confirms agreement to method of resolution				2.21a TLEC assists EFN in resolution of TPI/encumbrance.			Hydro Easement Estimate 718.5' (42%).	E		EFNP	
Norway House	Flett Islands (10-01)	169.54	1	2.21c Canada confirms agreement to method of resolution.				2.21a TLEC assists EFN in resolution of TPI/encumbrance.			Land in a Northern Community - Norway House. TPI - GP 5304 - Rec. Cottage (M). Hydro Easement Required 720' (> 50%).	E		EFNP	
Norway House	Kiskittogisu Lake C (19-01C)	20.12	1	2.21c Canada confirms agreement to method of resolution.				2.21a TLEC assists EFN in resolution of TPI/encumbrance.			Hydro Easement Estimate 716.40' (34%).	E		EFNP	
Norway House	Malcolm's Landing (24-01)	19.86	1	2.21c Canada confirms agreement to method of resolution.				2.21a TLEC assists EFN in resolution of TPI/encumbrance.			Land within 8km of Northern Comm - Norway House. Hydro Easement Required 720' (> 50%). TPI - GP 3627 - Fish camp (M).	E		EFNP	
Norway House	Tait Islands (45-01)	59.81	1	2.21c Canada confirms agreement to method of resolution.				2.21a TLEC assists EFN in resolution of TPI/encumbrance.			TPI - GP 1168 - Fish camp (M). Hydro Easement Estimate 718.50' (26%).	E		EFNP	
Norway House	Kiskittogisu Lake West Shore (6-02)	1,681.64	1	2.21c Canada confirms agreement to method of resolution.				2.21a TLEC assists EFN in resolution of TPI/encumbrance.			Hydro Lands Physically Required - Borrow Pit (M). Hydro Lands Physically Required - Dykes & Road (M). Hydro Easement Estimate 719.4' (49.3%).	E		EFNP	

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Norway House	Lac du Bonnet North Shore (1-2001)	2,517.36	1	2.21c Canada confirms agreement to method of resolution.				2.21a TLEC assists EFN in resolution of TPI/encumbrance.			Private Land - excluded. Private Land - excluded. Private Land - excluded. TPI - VHL 1098B(M) - Replaced by VHL 52577. Land in a Municipality - RM of Lac du Bonnet. Land in a Municipality - RM of Alexander. TPI - GP 6434 - Snoman Trail (M). GRA Closure - TBD.	E			
Norway House	Kiskitto Lake (5-02)	82.04	1	2.21c Canada confirms agreement to method of resolution.				2.21a TLEC assists EFN in resolution of TPI/encumbrance.			TPI - GP 4971 - Trappers Cabin (M). Hydro Lands Physically Required - Dyke & Road (M). Hydro Easement Required 707' (90%).	E		EFNP	
Northlands	Charcoal Lake Saskatchewan		1								Manitoba has advised that this parcel is not eligible.	E			
Opaskwayak	Parcel A, Plan 38771 (Hogan Ave. formerly Lots 1-7 , Surplus Fed Crown) (acquisition)	0.00	1	Surplus Federal Crown Land, has not yet been acquired. Appraisal completed and submitted to DOJ for review. Next step: Offer to Purchase.							Federal Surplus not acquired by OCN yet. Land in a Urban Area - Town of The Pas. Taxes Paid - Tax Certificate Issued. FNLMA - Community Approval. Hydro and Telephone Services.	E			
Opaskwayak	Parcel A, Plan 38769 (Paul Ave. formerly Lot 69 Surplus Fed Crown) (acquisition)	0.00	1	Surplus Federal Crown Land, has not yet been acquired. Appraisal completed and submitted to DOJ for review. Next step: Offer to Purchase.							Federal Surplus not acquired by OCN yet. Land in a Urban Area - Town of The Pas. Taxes Paid - Tax Certificate Issued. FNLMA - Community Approval. Hydro and Telephone Services.	E			
Opaskwayak	Guy Hill School (4)	0.00	1								Co-Management - Site not exclusive to Opaskwayak. Provincial Park - Clearwater - not available.	E			
Opaskwayak	Landry Lake (4-2000)	2,805.48	1	2.21c Canada confirms agreement to method of resolution.				2.21a TLEC assists EFN in resolution of TPI/encumbrance.			ESA visits October 2007 and July 2008. AIP Letter required prior to Community Approval. WMA - Tom Lamb Unauthorized Structures - 2 trapper's cabins Three cabins located on the site, one in ruins and at least 2 outhouses. Hydro Easement Estimate-Easement Line Photomap.	E			
Opaskwayak	Mitchell Lake Road (1-10)	133.55	1	2.21c Canada confirms agreement to method of resolution.				2.21a TLEC assists EFN in resolution of TPI/encumbrance.			Access - FA 3.02(11) & (12). Road - Prov - PTH 10 - Construction - FA 13.07. Hydro Easement Required 848.1 ft. Land in a Municipality - RM of Kelsey.	E			
Opaskwayak	No. 10 Addition (2) (Formerly 4)	550.32	1					The private lands are not eligible and must be acquired.			Land in a Municipality - RM of Kelsey. Access to private land to be determined. FNLMA - Community Approval. Hydro Distribution - 28(2) Permit required. BellMTS Facilities - 28(2) Permit required. *Env Report dated 2001.	E		EFNP	
Opaskwayak	Yawningstone (2-2000)	7,381.32	1	2.21c Canada confirms agreement to method of resolution.				2.21c Canada confirms agreement to method of resolution.			Grave Site TPI - GP 4446 - Trapper's Cabin (M) WPR Withdrawal Sask River-Grand Rapids (internal) Unauthorized Structures-Wild Rice shed to be moved Hydro Easement Estimate 848.1' (11.7%) (M) 864.8 FNLMA - Community Approval ESA Visit October 13, 2007.. EFN development of easement under Land Code.	E			

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War Lake	Ilford Phase 2 (Site 3-05) - Plan 605 Block 1 Lot 19 (white)	0.00	1								EFN indicated that these are their Priority Parcels Ineligible, Private Lot - unless taken back by MB in Tax Sale.	E			
War Lake	Ilford Phase 2 (Site 3-05) - Plan 6254 Lot 6 (white)	0.00	1								EFN indicated that these are their Priority Parcels Ineligible, Private Lot - unless taken back by MB in Tax Sale.	E			
War Lake	Ilford Phase 2 (Site 3-05) - Plan 905 Lot 14 (white)	0.00	1								EFN indicated that these are their Priority Parcels Ineligible, Private Lot - unless taken back by MB in Tax Sale.	E			
War Lake	Ilford Phase 2 (Site 3-05) - Plan 6254 Lot 7 (white)	0.00	1								EFN indicated that these are their Priority Parcels Private Lot: Moosecoot Housing Authority - unless taken back in Tax Sale.	E			
War Lake	Ilford Phase 2 (Site 3-05) - Plan 605 Block 1 Lot 18 (white)	0.00	1								Ineligible, Private Lot - unless taken back by MB in Tax Sale.	E			
Wuskwi Sipihk	Birch River Community Pasture	0.00	1								Awaiting Pasture Pilot Project outcome March 2017	E			
TOTAL												307	254,985.26		

The Three Party Strategic Planning Working Group meeting of October 24, 2018 reviewed the TLE Annual Work Plan Schedules for A to E and revised them accordingly to accurately reflect each grouping. The Parties continually update this rolling draft on a monthly basis.

Total Number of Parcels 306 Total Number of Acres 254,985.26

Schedule A: Parcels to be transferred to reserve. The following steps will be completed during this Schedule prior to reserve creation:

- Order in Council (Provincial)
- Ministerial Order (Federal)
- Crown Consultation with Aboriginal Groups (Federal)

There are currently 51 Parcels in Schedule A, 50,243.88 acres

Schedule B: In order for the Parcels to be moved to Schedule "A" the following steps must be completed:

- All survey process steps as outlined in the LTRCPM (Federal and Provincial)
- Necessary BCR (EFN)
- Approval in Principal (Federal)
- CLSR (Crown Lands System Registry) number

There are currently 49 Parcels in Schedule B, 36,916.10 acres

Schedule C: In order for the parcels to be moved to Schedule "B" the following must be completed:

- Regional Survey Map signed (All parties)
- Municipal Development Service Agreement requirements resolved, if any (EFN)

There are currently 39 Parcels in Schedule C, 15,586.73 acres

Schedule D: In order for the Parcels to be moved to Schedule "C" the following need to be completed:

- Environmental Site Assessment (Federal)
- TPI/Encumbrance identified (Provincial)
- Circular completed (Provincial)
- IMC Issues identified (All parties)

There are currently 56 Parcels in Schedule D, 44,803.36 acres

Schedule E: Activities to be completed to advance Parcels to Schedule "D": Long standing issues in dispute between Parties to be resolved (Hydro Easement, IMC referrals) Circular completed on new parcels.

There are currently 111 Parcels in Schedule E, 107,435.19 acres