

LAND CLAIMS

Land claims are grievances brought by First Nations people against the Crown due to unfulfilled treaty obligations or breach of responsibility regarding Indian interests in land. In such cases, the First Nation may be legally entitled to land and/or financial compensation.

- The resolution of land claims is primarily a federal responsibility. The Government of Canada reserved land and mineral rights for First Nations as a result of treaties signed in the 1800s.
- First Nations in Alberta that signed Treaty 6 (1876), Treaty 7 (1877) and Treaty 8 (1899) surrendered their lands to the federal government in exchange for certain benefits, including the provision of reserve lands.
- While land claims are a federal responsibility, Alberta has a constitutional obligation under the *Natural Resources Transfer Agreement (Constitution Act, 1930)* to transfer back to Canada unoccupied Crown lands necessary to allow Canada to settle claims with First Nations.
- Since 1986, Alberta has been successful in settling 13 treaty land entitlement claims. Four TLE claims remain outstanding in Alberta: Lubicon Lake Band, and Beaver, Sunchild, and Fort McMurray First Nations.
- The settlement of land claims provides enhanced certainty for the parties involved and for industry with respect to resource development.

LAND CLAIM CATEGORIES:

Specific claims

Arise when the federal government has breached obligations under the Indian Act involving administration of Indian funds or disposition of Indian land.

Aboriginal or “comprehensive” claims

Arise when First Nations people continue to use or occupy traditional lands where the Indian title has not been extinguished either through treaty or legislation.

Treaty land entitlement (TLE) claims

Arise when a First Nation did not receive all of the land to which it was entitled under the terms of the treaty.

May 2011



BIGSTONE TREATY LAND ENTITLEMENT

In 2010, Canada, Alberta and the Bigstone Cree Nation (including the communities of Peerless Lake, Trout Lake, Chipewyan Lake and Calling Lake) finalized the largest treaty land entitlement claim in Alberta.

The Bigstone Cree Nation was an original signatory to Treaty 8 in 1899. The federal government set aside reserve land based on population surveys. In 1981 Bigstone asserted a claim citing that insufficient land was provided based on the surveys of 1913 and 1937.

Alberta has been involved in the Bigstone negotiations since 1998 when the claim was accepted by Canada for negotiation. The parties reached an Agreement in Principle in 2007 and final agreement in 2010.

The end result is two agreements: one between Canada and Bigstone, and one between Canada and Alberta. Under the terms of the agreements:

- New reserves totaling 140,000 acres will be set aside for Bigstone (including Chipewyan Lake and Calling Lake) and for a new First Nation composed of the Peerless Lake and Trout Lake communities.
- Alberta will provide \$28 million and a commitment to construct two new elementary schools in Peerless Lake and Trout Lake.
- Canada will contribute \$220 million which includes funds for catch-up infrastructure, in addition to a commitment to construct a new high school and health centre for the new Peerless Trout First Nation.

This agreement helps better position Bigstone and the new Peerless Trout First Nation to create new business opportunities, build a skilled workforce, and partner with resource developers for greater economic development.

FOR MORE INFORMATION

Contact the Ministry of Aboriginal Relations:

Phone 780-427-8407

To call toll-free in Alberta, dial 310-0000 then the number.

www.aboriginal.alberta.ca

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