

## **APPENDIX J**

### **INAC Responses to August 2006 Letter**



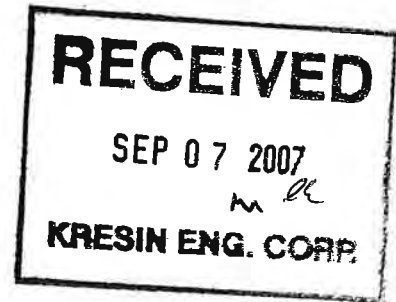
Voire référence - Your file

Notre référence - Our file

B 8260-12

AUG 31 2007

Mr. Chris Kresin  
Consulting Engineer  
Kresin Engineering Corporation  
536 Fourth Line East  
SAULT STE. MARIE ON P6A 5K8



**Re: Town of Blind River Landfill**

Dear Mr. Kresin:

I am responding to your letter of August 15, 2007, in which you inquire as to whether there were any First Nation land claims in the area of the above project.

We have conducted a brief search of our records and determined that some specific claims have been submitted in the area of interest. The claims for that area have been submitted by the following First Nations:

Mississauga First Nation  
PO BOX 1299, BLIND RIVER, ON, P0R 1B0  
(705) 356-1621

Whitefish River First Nation  
GENERAL DELIVERY, BIRCH ISLAND, ON, P0P 1A0  
(705) 285-4335

In addition, there are a number of First Nations in the general vicinity of your project. You may wish to apprise them of your intentions.

Batchewana First Nation  
236 FRONTENAC STREET, SAULT STE MARIE, ON, P6A 5K9  
(705) 759-0914

Garden River First Nation  
7 SHINGWAUK STREET, RR 4, GARDEN RIVER, ON  
(705) 946-6300

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Serpent River  
48 VILLAGE ROAD, CUTLER, ON, P0P 1B0  
(705) 844-2418

Sagamok Anishnawbek  
PO BOX 610, MASSEY, ON, P0P 1P0  
(705) 865-2421

Thessalon  
PO BOX 9, THESSALON, ON, P0R 1L0  
(705) 842-2323

For more information, you may wish to consult a "Public Information Status Report" on all claims which have been submitted to date. This information is available to the public on the Indian and Northern Affairs Canada website and can be found at [http://www.ainc-inac.gc.ca/ps/clm/pis\\_e.html](http://www.ainc-inac.gc.ca/ps/clm/pis_e.html).

It should be noted that the reports available on the INAC website are updated quarterly and therefore, you may want to check this site at regular intervals for updates. In accordance with legislative requirements, confidential information has not been disclosed.

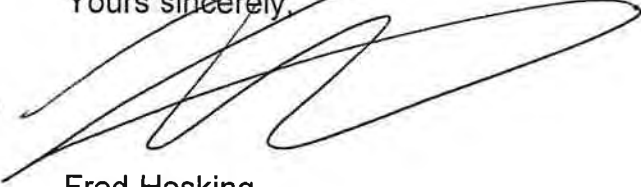
Please rest assured that it is the policy of the Government of Canada as expressed in *Outstanding Business: A Native Claims Policy* that "in any settlement of specific native claims the government will take third party interests into account. As a general rule, the government will not accept any settlement which will lead to third parties being dispossessed."

We can only speak directly to claims filed under the Specific Claims Policy in the Province of Ontario. We cannot make any comments regarding potential or future claims, or claims filed under other departmental policies. This includes claims under Canada's Comprehensive Claims Policy or legal action by a First Nation against the Crown. You may wish to contact INAC's Comprehensive Claims Branch at (819) 994-7521 or its Litigation Management and Resolution Branch at (819) 934-2185 directly for more information. In addition, you may wish to consult the unit responsible for Special Claims at (819) 994-6453.

To the best of our knowledge, the information we have provided you is current and up-to-date. However, this information may not be exhaustive with regard to your needs and you may wish to consider seeking information from other government and private sources (including Aboriginal groups). In addition, please note that Canada does not act as a representative for any Aboriginal group for the purpose of any claim or the purpose of consultation.

I hope this information will be of assistance to you. I trust that this satisfactorily addresses your concerns. If you wish to discuss this matter further please contact me at (819) 953-1940.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Fred Hosking', written over a large, light-colored oval shape.

Fred Hosking  
Senior Claims Analyst  
Ontario Research Team  
Specific Claims Branch

Le Dorze/Hosking  
24/08/2007  
PA B826012  
SC CHRONO  
CIDM #1117017



September 21, 2007

Mr. Chris Kresin  
Consulting Engineer  
Kresin Engineering Corporation  
536 Fourth Line East  
SAULT STE MARIE, ON P6A 5K8

RE: Town of Blind River Landfill  
Waste Management Plan – Environmental Assessment Terms  
of Reference

Dear Mr. Kresin,

I am responding to your request for information sent to the Comprehensive Claims Branch, by fax, on August 15, 2007.

We can confirm that there are no comprehensive claims in the Town of Blind River, Ontario. We cannot make any comments regarding potential or future claims, or claims filed under other departmental policies. This includes claims under Canada's Specific Claims Policy or legal action by the First Nation against the Crown. For more information, I suggest you contact the Director General of Specific Claims Branch at (819) 994-2323 and the Director General of Litigation Management and Resolution Branch at (819) 997-3582.

INAC- Comprehensive Claims Branch does not have any specific interest in the project and would request to be taken out of the mailing list.

Yours truly,

Jean-François Tardif, Director  
for  
Lynn Bernard, Director General  
Comprehensive Claims Branch

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statement contained in this correspondence. Data and information is based on information in departmental records and is disclosed for convenience of reference only. In accordance with the provisions of the *Access to Information Act* and the *Privacy Act*, confidential information has not been disclosed. Canada does not act as a representative for any Aboriginal group for the purpose of any claim. Information from other government sources and private sources (including Aboriginal groups) should be sought, to ensure that the information you have is accurate and complete.

Canada

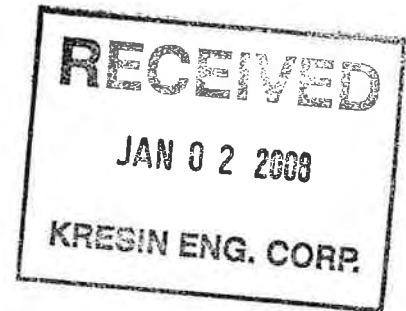


DEC 19 2007

Your file - Votre référence

Our file - Notre référence

Jennifer Sharpe  
Environmental Technician  
Kresin Engineering Corporation  
536 Fourth Line East  
SAULT STE. MARIE ON P6A 5K8



Dear Ms. Sharpe:

**Re: Town of Blind River Landfill  
Waste Management Plan – Environmental Assessment Terms of  
Reference**

I am writing in response to your letter of October 11, 2007, addressed to Franklin Roy inquiring about any claims that may affect the subject property. I regret that we were unable to respond earlier.

We can advise that our inventory includes active litigation in the vicinity of this property. It is entitled *Garden River First Nation Reserve No. 14 v. Canada and Ontario*, Ontario Court of Justice, Court file # 22162/A3.

I am unable to comment with respect to the possible effect of this claim as the case has not yet been adjudicated and any statement regarding the outcome of the litigation would be speculative at this point. It is recommended that you consult legal counsel as to the effect this action could have on the lands you are concerned with.

If you are interested in further details about the claim, a copy of the pleadings can be obtained from the Court for a fee; please contact the appropriate Court Registry Office and make reference to the court file number listed above.

We cannot make any comments regarding claims filed under other departmental policies. For information on any claims you should also contact Lyle Henderson of the Specific Claims Branch at (819) 953-3192 to inquire about any Specific Claims, and Guy Morin of the Comprehensive Claims Branch at (819) 956-0325 to inquire about any current Comprehensive Claims.

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If you have any further questions please do not hesitate to contact me at (819) 994-2062.

Sincerely,

A handwritten signature in black ink, appearing to read 'Andrew Walker', with a stylized flourish at the end.

Andrew Walker  
A/Litigation Team Leader  
Litigation Portfolio Operations East  
Litigation Management and Resolution Branch

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## **APPENDIX K**

### **October 19, 2007 Email to GRT**

**Jennifer**

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**From:** Jennifer [jennifer@kresinengineering.ca]  
**Sent:** Friday, October 19, 2007 2:42 PM  
**To:** 'ernie.gatien@ontario.ca'  
**Subject:** Town of Blind River Landfill - Environmental Assessment Terms of Reference  
**Attachments:** 0508.01 complete final draft ToR document.pdf

Dear Ernie Gatien,

**Re: Town of Blind River Landfill  
Waste Management Plan – Environmental Assessment Terms of Reference**

The Town of Blind River, Ontario has initiated the process to identify additional landfill capacity and address the current Fill Beyond Allowable Limits (FBAL) at the existing landfill site. As reports previously prepared on behalf of the Town indicated that the current approved landfill area possessed a capacity of less than 10 years, the Town has initiated the Provincial Environmental Assessment (EA) process which includes the preparation of an EA Terms of Reference (ToR).

This email is to advise that the final draft of the EA ToR for the Blind River Landfill site has been developed and that previous comments and suggestions from earlier agency and Ministry of the Environment (MOE) review have been incorporated in the document. Changes made to the ToR are largely related to the MOE comments regarding procedural and structural concerns.

Attached is a copy of the final draft ToR. If you have comments regarding the document, please forward via return email. Similarly, please indicate if you have no comments and/or if you would like to be removed from our consultation list.

Yours very truly,  
**Kresin Engineering Corporation**

Jennifer Sharpe, B.Sc  
Environmental Technician

Kresin Engineering Corporation  
536 Fourth Line East  
Sault Ste. Marie, ON, CAN  
P6A 5K8

tel: (705) 949-4900

fax: (705) 949-9965

[jennifer@kresinengineering.ca](mailto:jennifer@kresinengineering.ca)

1/16/2008

## **APPENDIX L**

### **October 19, 2007 Letter to Agencies**

October 19, 2007  
KEC Ref. 0508.01

Ministry of Natural Resources  
Policy and Planning Coordination Branch  
300 Water Street  
PO Box 7000, Fifth Floor, N. Tower  
Peterborough, ON  
K9J 8M5

Dear: Valerie Stankiewicz

**Re: Town of Blind River Landfill  
Expansion of Landfill Capacity  
Environmental Assessment Terms of Reference**

The purpose of this letter is to introduce you to the referenced undertaking.

### **Background**

The Town of Blind River has initiated the process to identify additional landfill capacity and address the current Fill Beyond Allowable Limits (FBAL) at the existing landfill site. Reports prepared on behalf of the Town indicate that the current approved landfill area possesses a capacity of approximately 10 years. It is generally prudent for municipalities to begin the search for additional landfill capacity when remaining capacity is near 10 years.

Various solutions to the above were presented to the Municipal Council for its review and consideration. Emphasis was placed on options which would address both the FBAL and the remaining landfill site capacity jointly as this is the fiscally responsible approach.

In order to do this, the Town of Blind River has initiated the Environmental Assessment (EA) Planning Process which includes the preparation of the EA Terms of Reference (ToR). A final draft of the ToR for the landfill site has been developed and previous comments and suggestions from earlier agency and the Ministry of the Environment (MOE) review have been incorporated into the document.

## **Conclusion**

Should you have any comments regarding the above or wish to review the finalized ToR document, please respond either by email ([jennifer@kresinengineering.ca](mailto:jennifer@kresinengineering.ca)), telephone (705-949-4900), fax (705-949-9965) or mail. We would also appreciate it if you would let us know if you will not be commenting and/or if you do not wish to be consulted further.

Thank you in advance for your response to the above. If you have any questions or require clarification regarding the contents of this letter, or the undertaking in general, please call.

Yours very truly,  
**Kresin Engineering Corporation**



Jennifer Sharpe, B.Sc  
Environmental Technician

0508.01 js let to agency