



## **Statement of Conservation Interest**

### **Mistinikon Lake Uplands Conservation Reserve (1600)**



**November 2004  
Kirkland Lake District  
Ministry of Natural Resources**

**MISTINIKON LAKE UPLANDS CONSERVATION RESERVE**  
STATEMENT OF CONSERVATION INTEREST

**Kirkland Lake District  
Ministry of Natural Resources**

**APPROVAL STATEMENT**

I am pleased to approve this Statement of Conservation Interest (SCI) for the Mistinikon Lake Uplands Conservation Reserve.

Direction for establishing, planning and managing conservation reserves is defined under the Public Lands Act and current policy. "Ontario's network of natural heritage areas has been established to protect and conserve areas representative of the diversity of the natural regions of the province, including species, habitats, features, and ecological systems which comprise that natural diversity." (Policy 3.03.05, MNR 1997). The specific direction for managing this Conservation Reserve is in the form of a basic SCI, which defines the area to which the plan applies, provides the purpose for which the Conservation Reserve has been proposed, and outlines the Ministry of Natural Resources' management intent for the protected area. This SCI has been created with input from program specialists within the Kirkland Lake District.


This SCI will provide guidance for the management of the conservation reserve and the basis for the ongoing monitoring of activities. More detailed direction at this time is not anticipated. Should significant facility development be considered, or complex issues arise requiring additional studies, more defined management direction, or special protection measures, a more detailed Conservation Reserve Management Plan will be prepared with full public consultation.

The public was consulted on this site prior to its regulation during the planning for Ontario's Living Legacy (MNR, 1999). Furthermore, the public was notified during a 30 day period commencing November 20, 2004 concerning a draft of this SCI. Comments from the notification period have been considered in the development of this document.

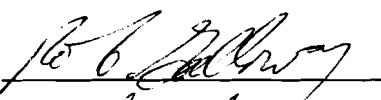
The conservation reserve will be managed under the jurisdiction of the Elk Lake - Matheson Area Supervisor of the Ministry of Natural Resources, Kirkland Lake District.

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Approved by: Corrine Nelson, District Manager:

  
Date: March 24/05

Approved by: Rob Galloway, Regional Director:

  
Date: April 21/05

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## **1.0 INTRODUCTION**

Ontario's network of natural heritage areas has been established to protect and conserve areas representative of the diversity of the natural regions of the province, including species, habitats, features and ecological systems which comprise that natural diversity. Protected natural heritage areas are a key component in sustainable management of natural resources. They ensure that representative sites within the larger sustainably managed landscape are permanently retained in their natural state.

Natural Heritage areas are considered to be sensitive, requiring protection from incompatible activities if their values are to endure over time. The Ministry of Natural Resources has established conservation reserves as a new tool to offer protection for these areas on public lands, while permitting many traditional public lands uses to continue. Such uses include the traditional activities of Aboriginal Peoples.

Ontario's Living Legacy Land Use Strategy (*OLL LUS*) (MNR, 1999) and the Crown Land Use Policy Atlas set the direction for the administration and management of parks and protected areas on Crown lands within three planning regions including; the Boreal West, Boreal East and Great Lakes – St. Lawrence areas. This strategy's natural heritage objectives include protection of natural and cultural heritage values and the provision of opportunities for outdoor recreation, heritage appreciation and tourism (MNR, 1999).

Protected areas designated within the *OLL LUS* have been selected based on their representation of the spectrum of the province's ecosystems and natural features including both biological and geological features, while minimizing impacts on other land uses. Representation was described using landform and vegetation combinations based on Hill's (1959) site district concept.

The Mistinikon Lake Uplands Conservation Reserve is a 4,330 ha parcel of Crown land that is situated approximately 50 km southwest from the Town of Kirkland Lake and 10 km west of the Town of Matachewan. It is found within Bannockburn, Powell, Doon and Yarrow Townships. These Townships are located in the Kirkland Lake District within the MNR's Northeast Region. The Reserve can be accessed by boat along Mistinikon Lake. There is also a network of old mining roads which run close to the southwest corner. These allow access by truck, ATV or snowmobile to the reserve although further travel within the site must be done on foot as the undergrowth is extremely thick. The conservation reserve will be managed under a Statement of Conservation Interest (SCI).

SCI documents are the minimum level of management direction established for any conservation reserve and generally are brief management plans. This SCI will govern the lands and waters within the regulated boundary of the Mistinikon Lake Uplands Conservation Reserve. However, to ensure MNR protection

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objectives are being fully met within the conservation reserve, the surrounding landscape and related activities should consider the site's objectives and heritage values. In addition, it is the intent of the SCI to create public awareness that will promote responsible stewardship of protected areas and surrounding lands, with management partners such as Ontario Parks, industry and local governments. MNR District staff will be able to pursue and advance sound environmental, economic and social strategies and policies related to the protection of conservation reserves and provincial parks.

The purpose of this SCI is to identify and describe the values of Mistinikon Lake Uplands Conservation Reserve and outline the Ministry's management intent for the conservation reserve. The management direction will protect the site's natural heritage values and demonstrate its compatibility within the larger sustainable landscape. This direction will comply with land use intent as stated by the OLL Land Use Strategy (MNR, 1999).



Fig. 1 - Rock face in northwest corner of C1600

## **2.0 GOALS AND OBJECTIVES**

### **2.1 Goal of Statement of Conservation Interest**

The goal of this SCI is to describe and protect natural heritage values on public lands while permitting compatible land use strategies. This Statement of Conservation Interest is intended to guide the management decisions that will ensure the Mistinikon Lake Uplands Conservation Reserve will meet this goal through both short and long-term objectives.

### **2.2 Objectives of SCI**

#### **2.2.1 Short Term Objectives**

The short-term objectives are to identify the State of Resource with respect to natural heritage values and current land use activities for the Mistinikon Lake Uplands Conservation Reserve. A priority will be placed on the protection of the site's natural values via specific guidelines, strategies and prescriptions detailed in this plan. Finally, legislated planning requirements will be met (e.g. SCI development within three years of regulation).

#### **2.2.2 Long Term Objectives**

The long-term objectives will be able to establish representative targets (e.g. future forest conditions) and validate the site as a potential scientific benchmark. To ensure protection of natural and cultural heritage features and values, this SCI will establish an evaluation process to address future new uses and commercial activities associated with them (e.g. Test of Compatibility Procedural Guideline B in Conservation Reserve Policy PLA 3.03.05). Finally, this SCI will identify research/client services and marketing strategies.

### **3.0 MANAGEMENT PLANNING**

#### **3.1 Planning Area**

The planning area for this site will consist of the area within the regulated boundary for the Mistinikon Lake Uplands Conservation Reserve (Regulation Map, Appendix 8). This landbase will form the area directly influenced by this SCI. The SCI will recognize the protection of values within the planning area; however, to fully protect values within the conservation reserve, the lands beyond the regulated boundary may require additional consideration within larger land use or resource management plans. Nevertheless, any strategies noted within this plan related to the site's boundary or beyond will need to be presented for consideration within a larger planning context.

#### **3.2 Management Planning Context**

The Mistinikon Lake Uplands Conservation Reserve was first designated as a candidate conservation reserve by MNR in the OLL Proposed Land Use Strategy (MNR March, 1999) and ultimately as a conservation reserve in the final OLL Land Use Strategy (MNR, 1999). The site was regulated with the filing of Ontario Regulation 148/02 made under the Public Lands Act on March 8, 2002. Management and planning direction for this site will follow the *OLL LUS* (MNR, 1999) and this management statement. The area encompassed by this site has also been removed from the Timiskaming Forest Alliance Inc. Sustainable Forest License (SFL) landbase (notification period for SFL amendment Nov 10, 2003 to Dec 10, 2003).

By regulation this conservation reserve cannot be used for commercial forest harvest, mining or hydroelectric power development (MNR, 1999). Existing permitted uses within this reserve may continue such as fishing, hunting and trapping. This SCI document and future management will endeavor to resolve conflicts regarding incompatibility between uses and to ensure that identified values are adequately protected.

This SCI will only address known issues or current proposals with respect to permitted uses or potential economic opportunities brought forward to the District Manager during this planning stage. However, in terms of approving future permitted uses and/or development(s), there are established mechanisms in place to address such proposals. Any future proposals will be reviewed using the Procedural Guideline B - Land Uses – Test of Compatibility *Public Lands Act Policy PLA 3.03.05* (MNR, 1997) or other standard MNR environmental screening processes.

Consideration of proposals pertaining to cultural resources may be screened through *Conserving a Future for our Past: Archaeology, Land Use Planning &*

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Development in Ontario, Section 3 (OMC, 1997), or in processes such as that used by MNR to establish Area of Concern (AOC) descriptions and prescriptions for cultural heritage resources within Forest Management Plans (FMP's).

These planning tools will help refine the review process once the proposal satisfies the direction and intent of the Public Lands Act, associated policies and this planning document.

### **3.3 Planning Process**

Once a conservation reserve is passed into regulation, it must be determined what level of management planning is required to fulfill the protection targets. There are two policy documents involved. A Statement of Conservation Interest (SCI) is the minimal requirement for providing planning direction, and a Resource Management Plan (RMP) that deals with more complex issues where several conflicting demands are placed on the resources. The guidelines for the preparation of these documents are outlined in Procedural Guideline A – Resource Management Planning (Conservation Reserves Procedure PLA 3.03.05 *Public Lands Act*). The appropriate plan must be completed within three years of the regulation date.

For current planning purposes, the Mistinikon Lake Uplands Conservation Reserve will be managed under the auspices of a basic Statement of Conservation Interest. Interested parties from both the private and public sector were consulted during the OLL planning process from candidate conservation reserve to regulation. The public was widely consulted during the regulation process and further consultation is not required at this time. In addition, a public notification of a draft of this SCI document occurred for a period of 30 days beginning November 19, 2004. The intent of this SCI is to fulfill the commitments made within the *OLL LUS* (MNR, 1999).

The revised SCI was reviewed by representatives from the Lands, Forestry, Fish & Wildlife, and Aboriginal programs, the District Planner, the Information Supervisor and the Elk Lake - Matheson Area Supervisor. Upon approval by the Kirkland Lake District Manager (DM) the SCI was presented to the Regional Director (RD) for final approval.

Public consultation will be solicited as part of any future reviews of land use proposals that would require new decisions to be made. In addition, any future proposal and/or any new, significant management direction considered will be published on the Environmental Bill of Rights Registry (EBR).

The SCI is a planning document that will provide background information, identify values to be protected and establish management guidelines for use in the administration of the reserve.

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The implementation of the SCI will be the mandate of the MNR at the District level; however, associations with various partners may be sought to assist in the delivery. This SCI is a working document, and as a result, it may be necessary to make revisions to it from time to time through the amendment process.



Fig. 2 – Wetland and creek in mid-northern portion of C1600

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## **4.0 BACKGROUND INFORMATION**

### **4.1 Location and Site Description**

#### **4.1.1 Location**

The following table describes the location and provides administrative details of the Mistinikon Lake Uplands Conservation Reserve. For further information see Locator Map, Appendix 7.

<b>Name</b>	Mistinikon Lake Uplands Conservation Reserve
<b>Site EcoRegion – Site EcoDistrict (Hills)</b>	Lake Abitibi EcoRegion 3E (Hills, 1959, Crins & Uhlig, 2000) in the EcoDistrict of Kirkland Lake (3E-5).
<b>MNR Administrative Region/District Area</b>	Northeast Region/Kirkland Lake District in the Elk Lake - Matheson Area
<b>Total Area</b>	4330 ha
<b>UTM co-ordinates</b>	Zone 17, 510518m E, 5310703m N
<b>Nearest Town/Municipality</b>	Matachewan
<b>Township(s)</b>	Bannockburn, Powell, Doon Yarrow
<b>OBM Numbers</b>	5105310, 5105300
<b>Topographical Map Name/Number</b>	Matachewan 41P/15
<b>Wildlife Management Unit</b>	29
<b>Forest Management Unit</b>	Timiskaming Forest

Table 1: Location Data

#### **4.1.2 Site Description**

The Mistinikon Lake Uplands Conservation Reserve is located approximately 50 km southwest of the Town of Kirkland Lake and 10 km west of the Town of Matachewan and consists of approximately 4,330 ha of Crown land. It is found within Bannockburn, Powell, Doon and Yarrow Townships in the locality of Timiskaming (Locator Map, Appendix 7).

The conservation reserve is situated in the Lake Abitibi Site Ecoregion 3E (Hills, 1959) in the site Ecodistrict of Kirkland Lake (3E-5) (Foley et al.). The ecodistrict is characterized by gently rolling plains with thinly covered rock knobs, sandy outwash and silty depressions. Materials are generally granitic, locally overlain by low-base and low-lime materials. Deep deposits cover 25% of the area and the remaining areas have very shallow deposits (Keddy 1997). With the close

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association with ecoregion 4E and the Great Lakes-St. Lawrence forest, some sporadic occurrences of species having southern affinities, such as yellow birch, sugar maple and white pine, are present. The ecoregion, also called the Central Boreal Forest Region, is characterized by flat to gently rolling, glacial clay and sand plain with locally extensive peatlands and wetlands, broken throughout by glacial features such as moraines, eskers with Canadian Shield exposure. Regional vegetation includes spruce, poplar, and birch on fresh sites on moderately sloping terrain, white and red pine on sand ridges and American elm and white cedar in protected areas. The forest climate type is mid-humid, mid-boreal (Poser 1992; Noble 1983).

Mistinikon Lake Uplands Conservation Reserve appears to be underlain almost entirely by undifferentiated sedimentary rocks of the Gowganda Formation, Cobalt Group, Huronian Subgroup, Southern Province, and Precambrian Shield. The remaining small areas located along the central and eastern parts of the Northern boundary are foliated to massive granitic rocks of the Abitibi Subprovince, Superior Province, Precambrian Shield. These are Mafic to Ultramafic Metavolcanic Rocks. The surficial geology is dominated by bedrock terrain and all topography is controlled by this. Few areas throughout the reserve are classified as Surficial Geology Unit 1; Bedrock Outcrop, with greater than 75% Bedrock exposure. Most of the site is comprised of Unit 2A; Bedrock Drift Complex, with thin, discontinuous till drift. Most of the remaining areas are Unit 3 with subordinate areas of 2A; lows with till deposits. The final category present on site is Unit 9; organic deposits. These occur mainly in a linear peatland valley in the north-east section which runs northwest-southeast.

#### **4.2 Administrative Description**

The legal boundaries of the Mistinikon Lake Uplands Conservation Reserve were filed on December 18, 2001 with the Office of the Surveyor General, Ministry of Natural Resources in Peterborough, Ontario. This site was passed into regulation on March 8, 2002 (O.Reg. 148/02).

#### **4.3 History of Site**

Historically the site has been used for fish and wildlife activities. The conservation reserve is situated on portions of four trapline area's (KL032, KL033, KL036 & KL040) and a Bear Management Area (KL-29-034) (Map 3A, Appendix 8). Anecdotal information confirms the use of this area for bear and moose hunting. Other values include several moose wintering areas throughout the site (Map 3A, Appendix 8). District staff is aware of moose and bear hunting in the area. Mistinikon Lake is home to Brook Trout, Northern Pike, Smallmouth Bass and Walleye. It also houses Yellow Perch, Whitefish, Herring Sucker and Burbot. No recent creel studies have been performed; therefore the current fishing pressure is unknown. Loonwing Lake was recently stocked with Splake.



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Several cabins are located along the shores of Mistinikon Lake and on Bell Island. Both lakes have winter and summer access and are fished year round (Telford, 2004). An old mine site adjacent to Mistinikon Lake had a tailings spill which caused significant damage to sport fish at the time

#### **4.4 Inventories**

The following table indicates the natural heritage inventory that has occurred or is required in the near future.

<b>Type of Inventory</b>	<b>Method</b>	<b>Date</b>	<b>Report</b>
Life Science	Aerial Reconnaissance	March 2004	Barbara Burkhardt; OMNR, Lori King; OMNR & Sean Longyear; OMNR
Earth Science	Aerial reconnaissance and aerial photo interpretation	October 2004	Rik Kristjansson
Recreation	Aerial Reconnaissance, Field site visits	January, 2004	Jenn Telford; OMNR

Table 2. Inventory Data

## 5.0 STATE OF THE RESOURCE

### 5.0.1 Representation

The CR is dominated by bedrock (Map 1b) according to the quaternary geology of Ontario layer and NOEGTS (Northern Ontario Engineering Geology Terrain Study) (Roed and Hallett 1979). NOEGTS further describes the area as having till ground moraine as a subdominant feature. During the aerial survey (Nicholson 2003), talus was observed at the bottom of a cliff at the northwest and southwest corners. According to Rik Kristjansson (2004a), OLL geologist, the site is dominated by bedrock-drift complex with till being the dominant drift cover at times both continuous and discontinuous (units 2a, 2ac). Along the mid-west and mid-south boundary drumlinized till (unit 3e) occurs where the slopes are more gradual. Minor areas of bedrock outcrops (unit 1) and organic deposits (unit 9) are scattered throughout the site. Talus slopes (unit 2g) are present on the base of some cliffs but they may not be delineated from the aerial photos.

The area is in Rowe's (1972) B.7 section (Missinaibi-Cabonga) of the Boreal Forest Region. This section is along the height of land in central Ontario and the bulk of the forest is boreal but also contains within as scattered individuals or isolated patches species from the Great Lakes-St. Lawrence Forest. The predominant forest is mixed consisting of balsam fir, black spruce and white birch with scattered white spruce and trembling aspen. Jack pine occurs on sand terraces and can also be associated with black spruce on poor, rocky soils. Black spruce with tamarack covers wet organic soils and is found with cedar in other lowlands. The topography is rolling with numerous flats along the rivers and lake sides.

There are 31 forest communities (wetland FRI included) in the conservation reserve with 11 accounting for less than 1% of the total area (Map 2a, Appendix 8). The dominant communities include white birch predominant hardwood<sup>1</sup> (24.5% of the total area), white birch hardwood mixed<sup>2</sup> (15.9%) and white birch mixedwood (12.5%). The rest account for less than 10% and are dominated by black spruce, jack pine, aspen, yellow birch, white spruce or cedar. Supercanopy spruce and white pine are scattered throughout. Spruce was associated with the

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<sup>1</sup>Conifer stands are defined as follows: pure conifer stands contain 100% of a conifer trees in the canopy; dominant conifer stands contain less than 10% cover of hardwoods in the main canopy and predominant conifer stands contain less than 20% cover of hardwoods in the main canopy. Similarly hardwood stands may contain no conifer in canopy (pure hardwood), less than 10% conifer (dominant hardwood) or less than 20% conifer cover (predominant hardwood) (modified after Taylor et al 2000).

<sup>2</sup>Mixedwoods are defined as follows: hardwood mixedwoods are stands dominated by hardwoods with less than 30% cover of conifer in the main canopy; similarly conifer mixedwoods contain less than 30% hardwoods in the canopy. Mixedwoods contain approximately equal percentages of conifer and hardwood trees and true mixedwoods contain a 50:50 split between conifers and hardwoods (modified after Taylor et al 2000).

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white birch forest communities while white pine was found along lake edges. Red maple was more common than was reported in the FRI (Nicholson 2003). Despite the large areas of bedrock, most of the forest communities were heavily stocked (Map 2b). Many of the pure white birch stands were non-productive forests, were classed as barren-and-scattered blocks and generally are associated with lowland areas. Lower stocking occurred in many valley bottoms. The majority of the stands are 65 to 75 years of age suggesting fire swept through the area in the 1930's but according to the fire disturbance map (C1600 Fire Disturbance Map, Appendix 8), only the northwest corner burned. Forest communities containing yellow birch were the oldest stands in the site, starting at 105 years of age. These yellow birch stands, based on Bridge et al definitions (2000), were classified as old growth (Map 5, Appendix 8). The only other old growth occurs in a black spruce dominant conifer stand on the mid-north boundary.

The forest communities are redefined as Standard Forest Units (SFU's). Northeastern Region SFUs are used in forest management planning to more effectively describe the forest canopy. The conservation reserve is dominated by BW1 (white birch poplar mixed hardwoods) (38.8% of the total area) and MW2 (rich upland mix – poplar and birch with spruce) (24.5%). There are 8 other SFU's, such as SP1 (upland spruce), PJ2 (jack pine-black spruce mix) and PO1 (poplar), which account for <10% each of the total area.

Wetlands<sup>3</sup> are not a dominant feature of this conservation reserve and are mainly restricted to the many creeks (Map 3b). Many of the creeks contained shore fens and meadow marshes with the odd thicket swamp. Conifer swamps occur in a couple of black spruce and cedar dominated forest communities.

The conservation reserve is situated in the 2JD tertiary watershed of the Ottawa River major basin (OMNR 2002). Many of the creeks and small lakes in the site form headwaters to Mistinikon Lake and Montreal River.

### **5.0.2 Quality of Representation**

The quality of the representation or the current characteristics of the natural features found within the conservation reserve are as important as the overall representative features that are being protected. A number of factors are considered in evaluating a site and they include the following criteria: diversity, condition, ecological factors, special features and current land use activities.

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<sup>3</sup> Wetlands were classified after Arnup et al. 1999 and Harris et al 1996.

a) Diversity:

Diversity<sup>4</sup> is a measure of the CR's life and earth science heterogeneity. The evaluation is based on the number and range (variety) of the natural landscape features and landforms for earth science values and the relative richness and evenness of the site's life science components. Based on Ontario Parks (2003) analysis of the conservation reserve within ecodistrict 3E-5, diversity is rated as low. There were 7 landform:vegetation (L:V) combinations of which only bedrock was the landform present. The dominant formations were dense deciduous forest (35.96% of the total area) and mixed deciduous forest (24.65%) on bedrock. These 2 vegetation groupings are equivalent to the different white birch forest communities from FRI. The quaternary geology cover was found to have 'shifted' and so other landforms may not appear in the CR. Also, forest reserves were excluded from the analysis.

Based on Kristjansson's (2004b) interpretation of the site and using SFU's, the diversity was originally rated as high (46 L:V's) (Table 3). Using the 1% as the minimum area required to be represented in the site (anything less than 1% are usually accumulation of polygon slivers), the number of L:V's was reduced to 19 or a rating of low. The CR is dominated by BW1 (31.57% of the total area) and MW2 (21.14%) on bedrock-drift complex (unit 2a). All other L:V combinations represent less than 10% each. Several of the L:V's were added even though they account for less than 1% as they are whole polygons on a landform unit or rock (community) on bedrock (landform) is typical and represents unique habitat.

Wetlands add little to the diversity rating since it only accounts for 4.9% of the total area and it lacks variety. Development stages may add to the diversity rating. The 2 dominant SFU's are represented by immature, mature and old growth stages. The other SFU's are represented by at least immature communities with some including mature communities. Dispersion is another feature that could add to diversity since representation from each of the SFU's could be found across the CR. The cliffs on the west side add a unique feature to the site and support different plant life.

Evenness<sup>5</sup> is the number of communities that control the vegetative nature of the site. If the site is equally represented by all its forest communities (SFU's) and FRI wetlands then evenness is considered even. For C1600, evenness is strongly skewed towards BW1, MW2 and SP1 (66.2% of the area total) and this

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<sup>4</sup> Diversity rating, developed by John Thompson & Jake Noordhof (2003), is based on the size of the conservation reserve versus the number of landforms:vegetation (SFU/HU) combinations. For CR's <500 ha, high diversity is >25 L:V combinations, medium for >15 L:V, and low for <15 L:V. For areas 500 – 2000 ha, high is >30, medium >20 and low <20. For areas >2000 ha, high >35, medium >25 and low <25 L:V combinations.

<sup>5</sup> Evenness of the site defined as strongly skewed (top 3 communities capture >=60% of the site in area), moderately skewed (30-59%) or slightly skewed to even (<30%).

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has been re-iterated several times. As a result of this skewedness, diversity is greatly reduced in the CR.

b) Condition:

Condition<sup>6</sup> is the degree of past human and natural disturbance observed or recorded for the site. This Conservation Reserve, which has a low disturbance rating, is in almost pristine condition. Any disturbance was human related. An old camp was observed at the northeast corner of the unnamed lake in the southwest corner of the Conservation Reserve, with garbage strewn all around it (Nicholson 2003). Cottages are also situated on Bell Island and Mistinikon Lake. The other human disturbance was an abandoned fire tower at the southeast corner, just west of Mistinikon Lake. No roads or trails were observed.

c) Ecological Factors:

Ecological factors refer to the current design of the CR as noted by its size, shape, and ability to protect core ecosystems from adjacent land use activities. Whenever possible, a site's boundaries should be created to include the greatest diversity of life and earth science features to provide the maximum ecological integrity. It should be ecologically self-contained, bound by natural features and include adequate area to protect the core ecosystems from intrusive adjacent land use influences (OMNR 1992).

Mistinikon Lake Uplands Conservation Reserve is bound by a mixture of biological and vectored borders as well as the West Montreal River Provincial Park on the east side. Using many of the vectors is unavoidable as no natural features are present. If the forest reserve at the southeast corner is dropped from the site, it is suggested the replacement area would be the indentation on the south side (Ecological Considerations Map, Appendix 8). This would create a more round site and reduce the appearance of 'bite marks' in the CR. As well, to shorten the length of one vector, a creek and lake could be used on the west side. This would also provide more protection to the cliff and talus slopes in that immediate area. This site is fairly round so much of the core area remained intact. An important design aspect of this CR is the linkage to the provincial park and ultimately to C1602 at the north end of the provincial park. It increases representation in a protected area and thus diversity.

Currently we do not have minimum size standards for conservation reserves under different landscape conditions. However, a minimum size standard of 2000 ha has been established for natural environment parks by Ontario Parks (OMNR 1992). This minimum standard was considered necessary to protect representative landscapes as well as allow for low intensity recreational activities.

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<sup>6</sup> Rating based on the amount of area currently under some form of known disturbance. High is >20% of the area, medium 10 to 20 %, low <10% and pristine <1%.

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At 4330 hectares, it more than doubles the minimum standard. With its round shape and large size and many biological boundaries, the core areas are protected from any intrusive influences. The 'pristine' condition also makes it attractive for non-motorized recreational activities.

#### d) Special Features:

Special features include the 'pristine' condition of the conservation reserve and the two cliffs on the west side. One is approximately 300 meters high and 2 kilometres long. Parts of this vertical rock face are vegetated with conifer trees. The other cliff is not as long or as high but it contains talus slopes on its lower half. Another special feature would be the rolling topography and the close resemblance it has to the Algoma Highlands in the Sault Ste. Marie area. The fire tower at the southeast corner would provide amazing views of the surrounding landscapes. The old growth yellow birch stands are the only areas that have a different age distribution. The rest of the site has a fairly even age distribution.

#### e) Current Land Use Activities

Current activities include fishing, boating, canoeing, hiking, camping, hunting, trapping. Other potential activities, which are as yet unconfirmed, include ATV use, and snowmobiling.

### **5.0.3 Summary**

Mistinikon Lake Uplands Conservation Reserve is a locally significant area represented by dense deciduous forest (35.96% of the total area) and mixed deciduous forest (24.65%) on bedrock. A total of 19 landform:vegetation combinations were determined giving a low diversity rating. The sensitive areas of the site include Lake Mistinikon and the resident sport fish. The current fishing pressure on Mistinikon is unknown although it appears to be a high use area. This site will have a low activity attraction capability. The sites location within a forested landscape and primarily off road access limits the sites current geographical significance and its backcountry travel qualities.

### **5.0.4 Natural Heritage Representative Features**

This site is characterized by stands of spruce, poplar and birch on fresh sites on moderately sloping terrain. Red and White pine trees occur on sand ridges and American elm and white cedar are found only in protected areas. The landform is characterized by gently rolling plains with thinly covered rock knobs, sandy outwash and silty depressions. The landscape is broken throughout by glacial features such as moraines, eskers with Canadian Shield exposure. The forest climate type is mid-humid, mid-boreal (Poser 1992;Noble 1983). Flat to gently rolling, glacial clay and sand plain with locally extensive peatlands and wetlands characterize the ecoregion. The dominant formations were dense deciduous

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forest (35.96% of the total area) and mixed deciduous forest (24.65%) on bedrock. These 2 vegetation groupings are equivalent to the different white birch forest communities from FRI. The CR is dominated by 2 SFU's (BW1 and MW2) and basically 2 landform units (2ac and 3e). There are 8 other SFU's which only account for <10% each of the total area.

### 5.0.5 Forest Resource Inventory (FRI) Data

- Dominant species, wetlands, and depleted areas
- See Forest Communities Map (Map 2a, Appendix 8)

### 5.1 Social/Economic Interest in Area

#### 5.1.1 Linkage to Local Communities:

The Mistinikon Lake Uplands Conservation Reserve is a 4,330 ha parcel of Crown land that is situated approximately 50 km southwest from the Town of Kirkland Lake and 10 km west of the Town of Matachewan. This site is found within Bannockburn, Powell, Yarrow and Doon Townships in the District of Kirkland Lake (Locator Map, Appendix 7).

Current uses include fishing, boating, canoeing, hiking, camping, hunting, trapping. Potential recreational activities could include rock climbing and possible

**Table 1: Landform:Vegetation Analysis for C1600**

	BW1	LC1	MW1	MW2	PJ1	PJ2	PO1	SB1	SF1	SP1	Treed Muskeg	Open Muskeg	Brush/ Alder	Rock	Total	Modified Total
9	X		X	X	X		X	X		X	X	X	X		10	1
3,2a	X		X	X	X		X	X	X	X	X	X	X	X	12	6
3e,2a	X			X				X		X					4	0
2																0
2a	X	X	X	X	X	X	X	X	X	X	X	X	X		13	9
1	X			X			X	X	X			X		X	7	3
<b>Total</b>	5	1	3	5	3	1	4	5	3	4	3	4	3	2	<b>46</b>	
<b>Modified Total</b>	2	0	1	3	2	1	1	3	1	1	0	2	1	1		<b>19</b>

Those areas that represent more than 1% of the total area

Those areas that represent less than 1% of the total area but were whole polygons or unique habitats. non-consumptive uses such as bird watching, photography or nature study.

**Table 3: Vegetation Types**

### **5.1.2 Heritage Estate Contributions**

The Mistinikon Lake Uplands Conservation Reserve contributes to the province's parks and protected areas system through its regulation, representation and the long-term management of natural heritage values. By allocating these lands to the parks and protected areas system, the province has ensured a certain level of permanence by distinguishing the site and its values from the broader general use or more extensively managed landscape. In addition, its natural features are, and will be available for present and future generations to enjoy and explore.

### **5.1.3 Aboriginal Groups**

The Mistinikon Lake Uplands Conservation Reserve falls within the Matachewan and Temagami First Nations and the Teme-Augama Anishnabai Aboriginal Community's identified notification area.

Temagami First Nations and Teme-Augama Anishnabai Aboriginal Community requested that draft copies of this SCI were simply mailed to them. This was done and they were given more than 30 days to provide comments. To date no comments have been received.

MNR staff met with Matachewan First Nations to present this draft SCI and to request their input to this document. A second meeting was scheduled where members of council and the community had the opportunity to voice opinions and influence wording and content of this SCI.

### **5.1.4 Mining Interests:**

There are two current mining leases (L1207502 & L 1207504) within the conservation reserve (shown as a Forest Reserve). Mining and surface rights have been withdrawn from staking within the conservation reserve's boundaries under the Mining Act (RSO 1990 Chapter M.14).

### **5.1.5 Forest and Fire Management History**

This site has been harvested within certain small sections in the last 30 years. The majority of the stands are 65 to 75 years of age suggesting fire swept through the area in the 1930's but, according to the fire disturbance map (C1600 Fire Disturbance Map, Appendix 8), only the northwest corner burned in 1935. Also, several areas which fall within the area affected by the 1935 fire are only 30-59 years old. This suggests some sort of disturbance occurred in these area within 10 to 39 years after the fire. There is no record of further fire activity within this time frame and this does not allow enough re-growth time for this disturbance to have been harvesting. It is therefore believed by district foresters that these younger stands were affected by spruce budworm in the early 1980's.



## **5.2 Natural Heritage Stewardship**

Analysis of the Life Science targets based on landform:vegetation combinations have shown that the conservation reserve contains 19 landform: vegetation combinations. A total of 7 separate forest communities were identified using recent forest community classifications and not including wetlands (Map 2a, Appendix 8). The dominant combinations were dense deciduous forest and mixed deciduous forest on bedrock. Although there are 7 different forest communities and wetlands present in the site, three communities (Po mixwood, Bw conifer dominant, and Sb mixwood) account for approximately 40% of the area. The majority of the communities are below 100 hectares in size. Most of the areas fall into one of two age groups; 30 to 59 or 60 to 89. Black spruce, old jack pine and aspen complement the white birch stands and old growth yellow birch is also present. These yellow birch stands, based on Bridge et al definitions (2000), were classified as old growth (Map 5, Appendix 8). The only other old growth occurs in a Sb dominant conifer stand on the mid-north boundary.

## **5.3 Fish and Wildlife**

Mistinikon Lake is identified as a warm-water fish community. Fish species include Brook Trout, Northern Pike, Smallmouth Bass, Walleye, Yellow Perch, Whitefish, Herring Sucker and Burbot. Angling pressure in the summer is mostly restricted to Mistinikon (due to access), although winter may see an increase in fisherpersons as snowmobile access should be available. Loonwing Lake has been stocked with Splake. Currently, no fisheries information is available for the other isolated lakes and creeks within the site. Further assessment and management will continue under the Kirkland Lake District, Elk Lake/Matheson Area Supervisor.

This area is also used for hunting and trapping. There is one BMA and three traplines within the reserve area. The forest communities are typical of early winter habitat; mature to over mature mixedwood stands. Late wintering habitat occurs in several areas and these areas are generally dense conifer forest communities.

## **5.4 Cultural Heritage Stewardship**

To date, little is known regarding the cultural values of the Conservation Reserve as a detailed assessment of cultural resources has not been carried out. However, the West Montreal Canoe Route runs through the Conservation Reserve and can be considered a cultural value.

## **5.5 Land Use/Existing Development**

This conservation reserve is situated entirely on Crown land and is unencumbered by any patented land, land use permits, or leases. It does however, overlap two mining claims, (1207502 & 1207504) which have been designated as forest reserves.

A forest reserve is a land use designation (LUS 7.2.3) applied to areas that were initially identified for inclusion in the conservation reserve (CR) but where subsequent detailed examination determined that there were existing mining leases or claims.

Mining and surface rights have been withdrawn from staking within the conservation reserve boundaries under the Mining Act (RSO 1990 Chapter M.14). Therefore, no new claims can be staked within the CR boundary. The intent is that the forest reserve (FR) will be added to the CR if the claim or lease is retired through normal process.

Policies for FR's are similar to the policies for new CR's, except that mining, and related access, is allowed in a forest reserve.

## **5.6 Commercial Land Use**

Present commercial use activities overlapping the site include one Bear Management Area (KL-29-034) and four traplines (KL032, KL033, KL036 & KL040) (Map 3A, Appendix 8).

## **5.7 Tourism/Recreation Use/Opportunities**

Some of the features within the site associated with possible recreational use include water bodies, water routes, large mammals, beaches, stacks and cliffs, Colluvial landforms and aquatic flora and fauna. Existing recreational uses in this site and immediately surrounding the site include trapping, hunting, hiking, boating, canoeing, camping, swimming and fishing. There is also potential for activities such as ATV and snowmobile use, bird watching and nature study.

For a more detailed report and summary of the recreational use and potential, refer to the Recreational Inventory Checksheet (Appendix 3).

## **5.8 Client Services**

Currently, visitor services are limited to responding to inquiries about access, natural heritage features and boundaries. No formal information or interpretive facilities currently exist within the conservation reserve. Other customer services available through the Kirkland Lake District office include providing clients with

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maps, fact sheets, and other information gathered on the area, such as the earth/life sciences and recreational inventory work.

## **6.0 MANGEMENT GUIDELINES**

### **6.1 Management Planning Strategies**

The land use intent outlined in the *OLL LUS* (MNR, 1999) provides context and direction to land use, resource management, and operational planning activities on Crown Land in the planning area and within OLL site boundaries. Commitments identified in the *OLL LUS* and current legislation (Policy 3.03.05 *PLA*) forms the basis for land use within the Mistinikon Lake Uplands Conservation Reserve. Management strategies for these uses must consider the short and long-term objectives for the conservation reserve. For up to date information on permitted uses refer to the Crown Land Use Atlas (MNR, 2002) (Appendix 6).

Proposed new uses and development will be reviewed on a case-by-case basis. A Test of Compatibility, (Procedural Guideline B – Land Uses (Appendix 4)) must be completed before proposals can be accepted. In all cases, ensuring that the natural values of the conservation reserve are not negatively affected by current and future activities will be the priority. Therefore any application for new specific uses will be carefully studied and reviewed.

#### **6.1.1 Forest Reserves**

Under the *OLL LUS*, mining and related access will be allowed in a forest reserve. For those activities that could negatively influence the natural heritage values within the FR and/or the CR, the district will work with the proponent to identify and mitigate potential mining or natural heritage concerns. Mining will not occur in any portion of the regulated conservation reserve boundary.

### **6.2 “State of the Resource” Management Strategies**

The development of this SCI and the long term management and protection of the Mistinikon Lake Uplands Conservation Reserve will be under the direction of the MNR’s Kirkland Lake District, Elk Lake - Matheson Area Supervisor. The following management strategies have been created to achieve the goal and objectives stated earlier in this management document.

#### **6.2.1 Natural Heritage Stewardship**

The management intent for the Mistinikon Lake Uplands Conservation Reserve is to allow for natural ecosystems, processes and features to operate undisturbed with minimal human interference while providing educational, research and recreational activities. Forest ecosystem renewal will only be entertained via a separate vegetation management plan. As part of any future vegetation management plan the site and its Site EcoDistrict will be re-evaluated with

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respect to their known landform/vegetation features to determine if the past harvested areas could contribute additional landform/vegetation values to the Site EcoDistrict.

In addition, the vegetation management plan will need to determine but not be limited to:

- the restoration ecology objectives (e.g. representation) for the area in context with the Site EcoDistrict;
- consider current provincial strategies (e.g. white pine);
- consider larger long-term conservation reserve (e.g. recreational objectives) and possibly landscape objectives (e.g. contributions to landscape wildlife objectives).

Fire is recognized as an essential process fundamental to the ecological integrity of conservation reserves. In accordance with existing Conservation Reserve Policy and the Forest Fire Management Strategy for Ontario, forest fire protection will be carried out as on surrounding lands.

Whenever feasible the MNR fire program will endeavor to use “light hand on the land” techniques, which do not unduly disturb the landscape, in this conservation reserve. Examples of light hand on the land techniques may include limiting the use of heavy equipment, utilizing high water bomber drops, non use of foaming agents, or limiting the number of trees felled during the fire response efforts.

Opportunities for prescribed burning to achieve/emulate ecological or resource management objectives may be considered. These management objectives will be developed with public consultation prior to any prescribed burning, and reflected in the document that provides management direction for this conservation reserve. Plans for any prescribed burning will be developed in accordance with the MNR Prescribed Burn Planning Manual, and the Class Environmental Assessment for Provincial Parks and Conservation Reserves (approval pending).

Defining compatible uses, enforcing regulations and monitoring and mitigating issues will protect all earth and life science features. Industrial activities such as commercial timber harvest and new hydro generation will not be permitted within the conservation reserve. Permits for fuel-wood will not be issued. New energy transmission, communication and transportation corridors or construction of facilities are not permitted within the boundaries of the conservation reserve. Such structures negatively impact the quality of the representative features that require protection. Alternatives should be reviewed via larger landscape planning processes. New roads for resource extraction will not be permitted. Other activities that do not pass a Test of Compatibility will be prohibited (MNR Policy 3.03.05, 1997).

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The introduction of exotic and/or invasive species will not be permitted. Programs may be developed to control forest insects and diseases where they threaten significant heritage, aesthetic, or economic values. Where control is desirable, it will be directed as narrowly as possible to the specific insect or disease. Biological or non-intrusive solutions should be applied whenever possible.

The collection/removal of vegetation and parts thereof will not be permitted; however, subject to a Test of Compatibility, the Area Supervisor may authorize such activities for purposes of rehabilitating degraded sites within the reserve, collecting seeds for maintaining genetic stock and/or for inventory or research purposes.

MNR will provide leadership and direction for maintaining the integrity of this site as a heritage estate. To ensure MNR protection objectives are fully met within the conservation reserve, activities on the surrounding landscape must consider the site's objectives and heritage values. Research, education and interpretation will be encouraged to provide a better understanding of the management and protection of the natural heritage values and will be fostered through local and regional natural heritage programs, initiatives and partnerships.

The conservation reserve will be managed by allowing natural ecosystems, processes, and features to function normally, with minimal human interference.

#### **6.2.2 Fish and Wildlife**

Fish and wildlife resources will continue to be managed in accordance with specific policies and regulations defined by the Ontario Ministry of Natural Resources under the Fish and Wildlife Conservation Act and the Kirkland Lake District, Elk Lake - Matheson Area Supervisor. The final decision to allow stocking in the Mistinikon Lake Uplands Conservation Reserve lies with the approval of the Kirkland Lake District Manager.

#### **6.2.3 Cultural Heritage**

When possible, the Ministry of Natural Resources will continue to work with the Ontario Ministry of Culture, Tourism and Recreation in identifying archaeological sites to be protected. To more fully manage and protect sites, the development of field surveys would be required. However, at this time additional field surveys within the conservation reserve are not recommended.

Development, research and education proposals may be considered in accordance with the Test of Compatibility and *Conserving a Future for our Past: Archaeology, Land Use Planning & Development in Ontario*, Section 3 (OMC, 1997).

#### **6.2.4 Land Use and Development**

The sale of lands within the conservation reserve is not permitted as per the *OLL LUS* (MNR, 1999). Existing authorized trails can continue to be used and maintained, unless there are significant demonstrated conflicts. New trails will only be allowed if a Test of Compatibility is passed. Any new trail development will require an amendment to the SCI. The cutting of trees for non-commercial purposes (e.g. fuelwood) is not permitted except as required for approved development activity (e.g. trail, viewing site, etc.). New roads for resource extraction may be permitted under the Class Environmental Assessment Act (Ontario Parks, 2004).

There are no other forms of tenure in the conservation reserve other than legal agreements with registered trappers, and bear management area operators. The construction of new trap cabins will not be permitted; however, existing cabins will be allowed to continue (MNR, 1999).

Traditional uses within the conservation reserve will continue to be permitted; however, the goal will be to resolve conflicts regarding incompatibility between uses and to ensure that identified values are adequately protected.

#### **6.2.5 Commercial Use**

All existing commercial resource use activities (i.e. trapping, baitfish harvesting, fishing and wild rice harvesting) are permitted to continue and new uses (with the exception of commercial bear hunting) may be introduced, subject to protection of the conservation reserve's natural heritage values (i.e. test of compatibility).

Commercial bear hunting (within BMA) operations may continue and the transfer of existing licenses is allowed, providing the activity has been licensed/permitted since January 01, 1992. Licenses to provide Bear Hunting Services will not be issued in areas where issuance has not occurred since January 01, 1992.

Existing commercial fur harvesting operations are permitted to continue. New operations may be considered subject to a Test of Compatibility.

#### **6.2.6 Aboriginal Interests**

The Mistinikon Lake Uplands Conservation Reserve is within the Matachewan First Nation's area of interest, therefore invitations for comment and participation have been extended. Aboriginal and treaty rights will continue to be respected throughout the management of this conservation reserve. The members of the Matachewan First Nation are governed by the James Bay Treaty #9. The land encompassed by this CR is governed by the Robinson Treaty. For further details

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of these treaties please see Appendix 11(Treaty #9) and Appendix 12 (Robinson Treaty).

Any future proposal(s) and or decision(s) that have potential impact(s) on individual aboriginal values and or communities will involve additional consultation with the affected aboriginal groups. Neither the regulation of this conservation reserve nor the approval of this SCI will have bearing on the Matachewan traditional land uses.

#### **6.2.7 Tourism/Recreation**

Most recreational activities that have traditionally been enjoyed in the area can continue provided they pose no threat to the natural ecosystems and features protected by the conservation reserve. These permitted activities include walking, hiking, wildlife viewing, fishing, hunting, snow shoeing, and cross-country skiing.

Snowmobiles and All Terrain Vehicles (ATVs) are permitted on existing trails and forest access roads within the Conservation Reserve. Under the *OLL LUS* (MNR, 1999), all mechanized travel is restricted to existing trails. Off-trail vehicle use is permitted for the retrieval of game only. The use of existing trails, within the Mistinikon Lake Uplands Conservation Reserve, does not degrade the values of this site.

Existing trails for hiking, snowmobiling, ATV use, cycling, horseback riding and cross-country skiing can continue. To ensure the quality of the representation is maintained, all trails and old forest access roads (Road Access Map, Appendix 8) within the site should be identified via new technologies (i.e. GPS) to ensure a record of these features exists. The completion of this data collection is dependant on time and fiscal constraints. New trails can be considered through a Test of Compatibility.

Finally, conflict resolution between recreational uses will be a priority. This will be achieved by adhering to the objectives of this SCI with input from relevant user groups. The level of safety and compatibility between activities will determine permitted uses (i.e. Test of Compatibility).

#### **6.2.8 Client Services**

Clients indicating their interest in the management, planning and future use of this conservation reserve will be put on a mailing list and notified of any future planning concerning the site.

Present client services such as supplying maps, fact sheets and other information will also continue. Information may be delivered from different sources; however, MNR will be the lead agency for responding to inquiries regarding access, permitted and restricted activities, values and recreation



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opportunities. A management agreement may be pursued with an appropriate partner to share responsibilities for information services and the delivery of other aspects of this SCI in the future.

### **6.3 Specific Feature/Area/Zone Management Strategies**

There are no specific management strategies for the maintenance / protection / enhancement of selected resources within the conservation reserve. Development of such strategies will require an amendment to the SCI.

### **6.4 Promote Inventory, Monitoring and Assessment Reporting (IMAR), and Research.**

Scientific research by qualified individuals, which contributes to the knowledge of natural and cultural history, and to environmental and recreational management, will be encouraged.

Research related to the study of natural processes will be encouraged provided it does not harm the values of the reserve. The Elk Lake - Matheson Area Supervisor or District Manager may approve the removal of any natural or cultural specimen by qualified researchers. All such materials removed remain the property of the Ministry of Natural Resources. All research programs will require the approval of the Ministry of Natural Resources and will be subject to Ministry policy and other legislation.

New research developments such as campsites, privies, trails or developed access points or activities will not be considered until a Test of Compatibility is conducted and the proposal is approved by the Elk Lake - Matheson Area Supervisor or District Manager. The Test of Compatibility or Environmental Screening Process could include a review of the demand for structures or activities and may require more detailed life or earth science or cultural information and possibly more detailed management plan.

Approved research activities and facilities will be compatible with the site's protection objective. Permanent plots or observation stations may be established to which researchers can return over time. Any site that is disturbed will be rehabilitated as closely as possible to its original state.

### **6.5 Implementation, and Plan Review Strategies**

Mistinikon Lake Uplands Conservation Reserve SCI will be reviewed on an ongoing basis and as required.

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Implementation of the SCI and management of the reserve are the responsibility of the Elk Lake - Matheson Area Supervisor. Partnerships may be pursued to address management needs.

If changes in management direction are needed at any time, the significance of the changes will be evaluated. Minor changes that do not alter the overall protection objectives may be considered and approved by the District Manager without further public consultation and the plan will be amended accordingly. In assessing major changes, the need for a more detailed Resource Management Plan will first be considered. Where a Resource Management Plan is not considered necessary or feasible, a major amendment to this SCI may be considered with public consultation. The Regional Director must approve major amendments.

#### **6.6 Marketing Strategies**

Mistinikon Lake Uplands Conservation Reserve will be marketed as a representative natural area having Earth and Life Science values, as well as certain recreational values. Marketing efforts to increase use are not a priority and will be kept to a minimum.

#### **6.7 Boundary Identification**

There is no stated policy to mark the boundaries of a Conservation Reserve. Local management discretion can be used to determine where boundary marking may be appropriate. In order for restrictions to be enforceable, signs must be placed in accordance with the Trespass to Property Act or subsection 28 (1) of the Public Lands Act to advise against any recreational activities.

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Fig. 3 – View of Fire Tower in C1600, facing East

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**Appendix 1**  
**Public Consultation Summary**

### SCI Public Consultation Summary (C1600)

Date Received	Client	Comment	Action Taken	Date Responded
August 30, 2000	143	Client not pleased that SCI ad appeared in newspaper before mail out to organizations. Also not pleased that District Planner would not be available during consultation period.	Added client to mailing list for all 26 sites. Reassured client that maps were included in the individual and organization mailouts. Reassured client that any concerns could be addressed by OLL staff.	August 30, 2000
September 5, 2000	82	Received fax requesting info on boundaries and OLL	Phoned to discuss areas indicated Sent info by mail	September 5 September 6
July 31, 2003	548	Contacted First Nations to invite member to accompany MNR staff on site inventory		
November 19, 2004	146	Visited office, had received notification of Draft SCI Review, was interested in reading the draft	Showed him to reading room, where office copies of draft SCIs are kept Mailed copy of SCI to his home address	November 19 November 24
December 17, 2004	146	Client called looking to ensure that hunting and trapping would be permitted to continue in the conservation reserve.	Planning Staff reassured client that established BMAs and traplines would not be affected and that recreational hunting and fishing could continue.	December 17, 2004

December 20, 2004	146	Client wished to indicate the presence of a snowmachine/ATV trail right to the head of the lakes which the client believes falls within the CR. Also wished to confirm that hunting and fishing would continue to be permitted on any new trails established within the CR	Planning staff sent a letter thanking the client for their information regarding existing trails within the site. This letter also reassured the client that hunting and fishing could continue and that any new trails would be subject to a Test of Compatibility.	December 24, 2004
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December 23, 2004	143	Client visited office and read Draft SCIs. Expressed several concerns and questions to planning staff.	Planning staff addressed as many of these comments as possible in person. A letter was sent the following day containing answer to the remaining questions. This letter is in the C1600 file.	December 23, 2004
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**Appendix 2**  
**Public Consultation Ad**

## **Review of Draft Statements of Conservation Interest**

**C1615 Maisonville Bernhardt Muskeg Maple Moraine**

**C1611 Shallow River Poplar Outwash**

**C1628 Trollope Lake Burnt Hill Poplar Spruce**

**C1600 Mistinikon Lake Uplands**

**C1634 Dunmore Township Balsam Fir Outwash Conservation Reserves**

The Ministry of Natural Resources (MNR) invites you to review the draft statements of conservation interest (SCI) for the Maisonville Bernhardt Muskeg Maple Moraine, Shallow River Poplar Outwash, Trollope Lake Burnt Hill Poplar Spruce, Mistinikon Lake Uplands and Dunmore Township Balsam Fir Outwash Conservation Reserves. Copies of these draft documents will be available for review at the Kirkland Lake District MNR office until December 20, 2004.

The Maisonville Bernhardt Muskeg Maple Moraine Conservation Reserve is situated 10 kilometers northwest of the Town of Kirkland Lake. This conservation reserve is located within the township of Bernhardt and is 128 hectares in size. The Shallow River Poplar Outwash Conservation Reserve is situated 45 kilometers northwest of the Town of Kirkland Lake. This conservation reserve is located within the townships of Beatty and is 396 hectares in size. The Trollope Lake Burnt Hill Poplar Spruce Conservation Reserve can be found 50 kilometers east of the Town of Matheson. This conservation reserve is located within the townships of Frecheville and Stoughton and is 2108 hectares in size. The Dunmore Township Balsam Fir Outwash Conservation Reserve is found 10 kilometers northeast of the Town of Matheson. This conservation reserve is located within Beatty Township and is 396 hectares in size. The Mistinikon Lake Uplands Conservation Reserve is located 10 kilometers west of the town of Matachewan in Doon, Powell, Yarrow and Bannockburn townships. This conservation reserve is 4,330 hectares in size.

The statements of conservation interest identify area values and provide direction on resource management activity and appropriate land uses. As conservation reserves, commercial activities such as forest harvesting, mining and hydroelectric power development are prohibited from occurring within the protected area.

The Ministry of Natural Resources (MNR) is collecting comments and information regarding the draft statements of conservation interest under the authority of the *Public Lands Act* to assist in making decisions and determining future public consultation needs. Comments and opinions will be kept on file for use during the plan's operating period and may be included in the study documentation, which is made available for public review.

Under the *Freedom of Information and Protection of Privacy Act (1987)* personal information will remain confidential unless prior consent is obtained. However, this information may be used by the Ministry of Natural Resources to seek public input on the other resource management surveys and projects. For further information on this Act, please contact **Shaun Walker at (705) 568-3231**.

If you would like additional information or would like to supply background information or viewpoints to be considered by the planning team, please contact:

**Jessy Malone or Jody Bissett**  
**Land Use Planners**  
**Ministry of Natural Resources**  
**Kirkland Lake District**  
**P.O. Box 910, 10 Government Road East**  
**Kirkland Lake, ON**  
**P2N 3K4**  
**Tel: (705) 568-3253**  
**Fax: (705) 568-3200**

Comments will be accepted until **December 20, 2004**

Renseignements en français: (705) 568-3222



**RECREATION INVENTORY REPORT-**  
**Mistinikon Lake Uplands Conservation Reserve**  
**C1600**

**January 12, 2004**



**Prepared For: OMNR, Northeast Region**  
**Jennifer Telford**  
**Kirkland Lake District, OMNR**

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## **INTRODUCTION**

The Mistinikon Lake Uplands Conservation Reserve is located in northeastern Ontario approximately 50 kilometres from the Town of Kirkland Lake.

Conservation Reserves identified in Ontario's Living Legacy Land Use Strategy (LUS) were given interim protection and the intention is to have all of the sites formally regulated under the Public Lands Act by 2004. The process to regulate the Mistinikon Lake Uplands Conservation Reserve was completed in May 2002.

In addition to the regulation process, a number of inventories, including a Recreation Inventory Report, are being conducted in the Living Legacy sites. Recreation inventories are particularly important to the OLL planning process, as one of the major objectives of the LUS is to ensure that a broad range of natural resource-based recreation opportunities are provided for. As a result the Ontario's Living Legacy Guidelines for Recreation Assessment were developed. Under the guidelines all inventories are guided by four basic objectives:

- Identify landforms and features, which are or may be used for recreation.
- Identify the range of settings that the protected area is able to provide.
- Identify all known existing recreational activities.
- Identify all means by which the protected area can be accessed.

The Mistinikon Lake Uplands Conservation Reserve Inventory was influenced by the four basic objectives but it also attempts to evaluate the impact of humans in the site.

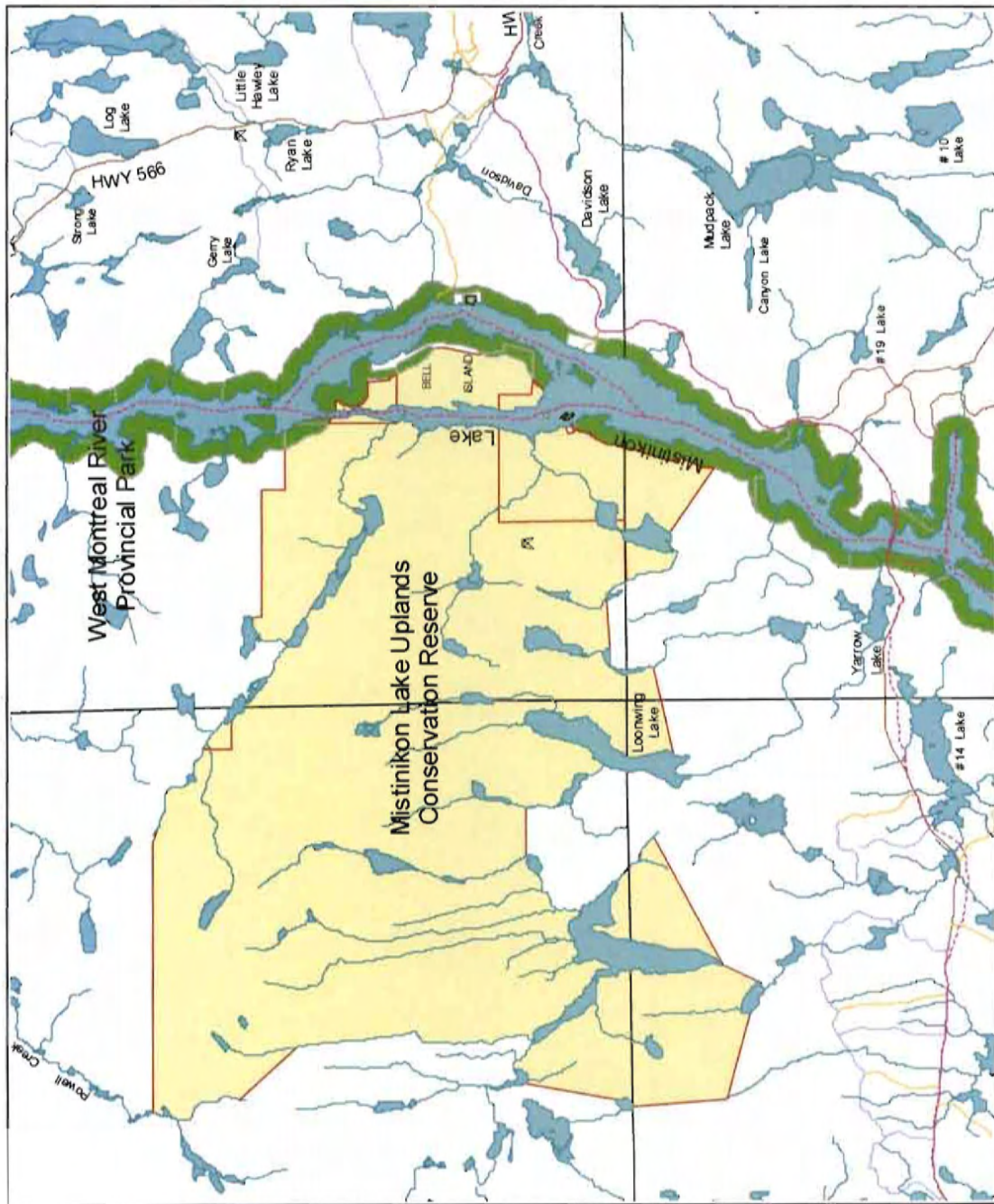
**Figure 1**

# **MISTINIKON LAKE UPLANDS Conservation Reserve**

## **Map Overview**

### **Legend**

- Conservation Reserve
- Provincial Park
- Township Boundary
- Lakes
- Streams & Rivers
- Roads
- Primary
- Secondary
- Tertiary
- Canoe Route
- Fire Tower
- Recreation Camp



5 0 5 10 Kilometers

Scale 1 : 100,000



This map is illustrative only. Do not rely on it as being a precise indicator of routes, locations of features, nor as a guide to navigation.

Designed and produced by: Jennifer Telford  
Resource Manager, Ministry of Natural Resources.  
Projection: UTM, NAD 83, Meters, Zone 17  
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### **3.0 DESCRIPTION OF THE STUDY AREA**

#### **3.1 General Setting:**

The Mistinikon Lake Uplands Conservation Reserve is situated in the Townships of Bannockburn, Powell, Doon, and Yarrow. The conservation reserve covers an area of approximately 5071 hectares. The nearest community is the Town of Matachewan which is located approximately 10 kilometres from the conservation reserve.

A few other protected areas are within close proximity to the site. These areas are all Ontario Living Legacy sites. The Dunmore Township Balsam Fir Outwash Deposit Conservation Reserve has already been regulated and the Whitefish River Sandy Till and the Whitefish and East Whitefish Lakes Sandy Till Uplands Conservations Reserves will be regulated in the spring of 2004. The West Montreal River Provincial Park encompasses Mistinikon Lake and was regulated in 2001.

#### **3.2 Cultural Values:**

Little is known about the cultural values of the conservation reserve. The Matachewan First Nation has an interest in the land because it is in their traditional land use area. The West Montreal Canoe Route runs through the conservation reserve and can be considered a cultural value.

#### **3.3 Life Science Values:**

The life science evaluation for this site has not yet been completed. Tree species observed in the site include black spruce, jack pine, poplar and white birch. The site also contains old growth yellow birch and scattered white pine.

#### **3.4 Earth Science Values:**

The earth science values of this conservation reserve have not been well documented. Aerial inventories have been conducted and, at the time of writing, the earth science check sheet for the Mistinikon Lake Uplands Conservation Reserve was being prepared. What is known is the site is dominated by bare bedrock and strongly broken deep and shallow sandy till. There are cliff communities, steep hills and kettle lakes in the conservation reserve.



## 4.0 METHODOLOGY

Primary and secondary resources were used to gather information for this recreation inventory report. Primary research consisted of field site visits and discussions with district staff. Secondary research was done prior to field visits.

Table 1: Summary of Information Sources

Primary Research	Secondary Research
• Two ground visits (August 13, 15, 2003)	• Internal OLL documents
• Aerial visit (September 24, 2003)	• OBM and OLL Maps
• Contact with District staff	• Air Photos

The two ground visits were each a day in length and covered as much of the site as possible. The ground visits were made with a four-wheel drive truck and a boat. Most of the travel done within the Conservation Reserve was by boat and on foot. Land routes and road access were documented with a GPS unit and digital photographs were taken of interesting features. Water routes around Bell Island were explored as well as the hiking trail up to a fire tower situated within the site.

Information gathered from the site visits was then used to complete the recreation checklist (Appendix A). The checklist was completed in accordance with the *Ontario's Living Legacy Guidelines for Recreation Resource Assessment, Version 3 – May, 2002* and data was entered into the Microsoft Access form provided. A map of the site was created using the site access information gathered from the GPS unit.

## 5.0 RECREATION FEATURES

Recreation features are biophysical or cultural attributes that may be able to support recreational activity. A total of six features were recorded and ranked according to their recreational value and importance in the Recreation Inventory Checklist (Appendix A). Listed features have a corresponding code and are classified under a specific category according to the *Ontario's Living Legacy Guidelines for Recreation Resource Assessment, Version 3 – May, 2002*. The following sections provide more detail on each of the features.

### **5.1 Waterbodies (M00) – Waterbodies:**

The Mistinikon Lake Uplands Conservation Reserve contains a number of water bodies within its boundaries. The most prominent water body is Mistinikon Lake. The lake is actually part of the West Montreal River. Only the west side of the lake is part of this site. The West Montreal Provincial Park encompasses the rest of the lake. Loonwing Lake, in the southwestern part of the site is a good sized

lake and there is another good sized unnamed lake in the southwest of the site as well. There are small and medium sized lakes scattered throughout the rest of the conservation reserve. Many of these lakes are kettle lakes.



Figure 2: The west side of Mistinikon Lake (left) and a stream in the north of the site (right).

Access to Mistinikon Lake is available. There are a few roads that lead to the lake. There is a public boat launch across from Bell Island. There is plenty of parking available and seems to be how most people access the lake. There is access to Loonwing Lake via ATV/snowmobile trail. The lake is fished in summer and winter and there are a few cabins in the area. At the time of the aerial survey it was noted that a cabin had been on the lake but it had burned down.

### **5.2 Sport Fish (A01) – Aquatic Flora/Fauna:**

Mistinikon Lake contains northern pike, walleye, smallmouth bass, yellow perch, whitefish, herring, sucker and burbot. There have not been any recent creel surveys done on Mistinikon Lake and therefore the current fishing pressure on the lake is not known. Loonwing Lake has recently been stocked with splake. The state of the fisheries of the other lakes within the conservation reserve is not known at this time. A number of people were observed fishing on Mistinikon Lake during fields visits and it is a favourite fishing spot for many people in the Kirkland Lake District.

### **5.3 Large Land Mammals (W03) – Wildlife:**

Black Bear and Moose can both be found within the site. The site contains one bear management area and district staff are aware of moose and bear hunting in the area.

### **5.4 Water Routes (T05) – Trails or Routes:**

Mistinikon Lake is part of the West Montreal canoe route. The West Montreal Canoe Route travels through the entire length of Mistinikon Lake. The route, which begins west of Gowganda and ends in Matachewan, is 64 kilometres long and classified as an intermediate paddle. (Canadian Canoe Routes, [www.myccr.com](http://www.myccr.com))

### **5.5 Shore Features – General (B00) – Shore Features:**

The site contains a few islands on Mistinikon Lake. The most notable of these being Bell Island which is a large island in the middle of the lake. The west side of Bell Island is part of the conservation reserve. A few smaller islands on the west side of the lake are within the conservation reserve as well. The site also contains numerous creeks, streams and lakes with their associated shore features.

### **5.6 Stacks and Cliffs (Q19) – Landform, Broad:**

The site contains numerous cliffs and esker walls. The western shore of Mistinikon Lake within the conservation reserve has numerous cliff faces and rock walls. Cliffs and esker walls can also be found in the south of the site next to Loonwing Lake, on the fire tower hill, and in the north east of the conservation reserve. The cliffs along the lake add a significant scenic value to the Mistinikon Lake Uplands Conservation Reserve.



Figure 3: An esker wall in the north west of the site (left) and a cliff on the shore of Mistinikon Lake (right).

### **5.7 Colluvial (J01) – Landform, Surface Material:**

A talus slope was observed on the western shore of Mistinikon Lake during a field visit. Due to the number of other cliffs and esker walls within the site it is possible that more than one talus slope or area of landslide debris exists in the conservation reserve. This feature could be a possible obstacle to recreation as it could provide a hazard to hikers in the conservation reserve.



Figure 4: A talus slope on the shore of Mistinikon Lake.

## **6.0 RECREATION ACTIVITIES**

The recreation activities are closely related to the recreation features. Eight activities were recorded on the Recreation Inventory Checklist when the inventory was performed. Activities were selected from a list of known recreation activities included in the *Ontario's Living Legacy Guidelines for Recreation Resource Assessment, Version 3 – May, 2002*. The activities have a corresponding code and the existing activities were differentiated from potential activities by using a capital letter in their activity code. The following eight sections provide more details on each of the activities.

### **6.1 Fishing – General (F00) – Fishing:**

Sport fish are naturally present in at least one of the site's lakes and due to the easy access to Mistinikon Lake it sees a large number of anglers. A number of fishing boats were observed on Mistinikon Lake during field visits. Loonwing Lake is stocked with splake and is listed annually in the Fish Stocking List provided by the Kirkland Lake District. This list is available to the public and most likely increases the number of people who may consider fishing on the lake. Both lakes have winter and summer access and are fished year round.

### **6.2 Boating (B01) – Water Sports:**

A number of people use Mistinikon Lake for pleasure boating. The lake is large and can be accessed from various areas. Many people have cottages along the West Montreal River and may be boating through the conservation reserve on their way to somewhere else. The cliffs may also bring boaters into the conservation reserve. The scenic quality of the area is worth a boat trip and is recommended by the author. In some cases boating is used as transportation to perform another recreation activity like camping or hiking.

### **6.3 Canoeing (B02) – Water Sports:**

As mentioned in the recreation features, the West Montreal Canoe Route passes through the conservation reserve. It is not known how many people canoe the route annually but, it is known that the Ontario Rangers do canoe the route every year. It is possible that many people just canoe on Mistinikon Lake. The lake is relatively close to Kirkland Lake and would make a good day trip.



Figure 5: View of the old fire tower from its base.

### **6.4 Hiking (T08) – Travelling:**

There is a hiking trail off of the west shore of Mistinikon Lake. The trail leads to an old fire tower and is about 1.5 kilometres in length. The trail is good and the hike can be somewhat strenuous due to steep sections as it nears the fire tower. Appropriate hiking footwear should be worn on the trail. The view from the base of the fire tower is good. Climbing the fire tower is not recommended because the tower is old and is not maintained.

### **6.5 Camping Activities – General (K00) – Camping:**

A number of camping areas were observed on the west side of Bell Island and on some of the smaller islands in Mistinikon Lake. No campers were observed during the inventory but a few spots stood out as well used campsites. There are a few outfitters on Mistinikon Lake. There are a number of cottages associated with these outfitters within the conservation reserve. There are a number of cottages on the west shore of the lake as well as a few on Bell Island and one on a smaller island in the west channel of the lake. These cottages add to the recreation opportunities of the conservation reserve by providing people from outside the area with lodging.



Figure 6: Cottages (left) and campsites (right) on the shore of Mistinikon Lake.

### **6.6 Trapping (H06) – Hunting/Trapping:**

There are four registered trap lines in the conservation reserve. It is not known if the trap lines are accessed by snowmobile or on foot. Further research into this would provide a more complete picture of the trapping activity within the site.

### **6.7 Hunting – General (H00) – Hunting/Trapping:**

Large and small game hunting is popular in most of the area. Due to the number of outfitters in or near the site it is quite possible that they cater to hunters as well as fishers.

### **6.8 Swimming/Bathing (B13) – Water Sports:**

Although Mistinikon Lake does not have any beaches it still provides good opportunities for swimming. The lake is rocky and deep with clear water. There are areas where people could jump from the rocks on the shore into 40 to 80 feet of water. The water would remain fairly cool in the summer but, on a hot day would be worth swimming in.

## **7.0 RECREATION FACTORS**

The recreational factors provide a context for the information collected during the recreation inventory, as they are meant to provide some insight on how the site will contribute to outdoor recreation at the regional level.

### **7.1 Feature Significance:**

Feature significance for the conservation reserve, which is a composite measure of feature scarcity and uniqueness, activity attraction capability, scenic attractiveness, and geographic significance, was rated as high. This designation resulted from the fact that most of the factors rated as high except for one rated as moderate.



The most scarce and most unique features in C1600 are the talus slopes (J01). The talus slopes are associated with the cliffs found within the conservation reserve. The talus slopes have been chosen as most unique and scarce instead of the cliffs because not all of the cliffs have talus slopes, which makes the talus more unique to the site. The feature scarcity is high because the talus slopes are an unusual feature within and outside of the conservation reserve.

The activity attraction capability of the conservation reserve is rated as high. The lake is a draw for a lot of people and the area attracts local visitors as well as visitors from outside of the district. The scenic attractiveness is also rated as high. The cliffs, lake and hills all add to the scenic qualities of this site. The geographic significance is rated as moderate. The cliffs and talus slopes make the site moderately significant but not completely unique to the Kirkland Lake District.

### **7.2 Feature Sensitivity to Recreation Use:**

The most sensitive feature to recreation use is sport fish. The feature sensitivity is rated as moderate. Sport Fish are sensitive to recreation use in this conservation reserve because the current fishing pressure on Mistinikon Lake is not known and because this area appears to be a very high use area. A Creel survey on the lake is recommended to determine the current fishing pressure and a Spring Littoral Index Netting (SLIN) survey is recommended to gauge the fish species in the lake.

### **7.3 Feature Sensitivity to Resource Development:**

The most sensitive feature to resource development is Mistinikon Lake (M00). Any development in or around the conservation reserve could affect the scenic quality of Mistinikon Lake. This area has had a mine tailings spill and a beaver dam break in recent years. The mine tailings spill caused significant damage to the sport fish and the beaver dam break dumped excessive amounts of debris and silt into the waterway. The lake is heavily used by humans and is sensitive to fuel spills from boats and garbage left behind by campers and cottagers. The feature sensitivity to resource development is moderate. The lake area within the conservation reserve will not be subject to development but the area outside of the conservation reserve may be subjected to development. Part of this conservation reserve is still a forest reserve. If the mining claims in this section of the reserve were to be developed it could have a significant negative impact on Mistinikon Lake. The forest reserve is next to the lake and even encompasses part of the lake. Seeing as how there have been tailings spills into the lake from old mine sites there may be pressure from area residents and cottagers to keep mines out of the areas adjacent to the lake.

#### **7.4 Cultural/ Historic and Archaeological Features:**

The Mistinikon Lake Uplands Conservation Reserve is rated as having cultural/historic features because it is assumed that people have been using the waterway for travel for a number of years and have been fishing on Mistinikon for a number of years as well. It is not known if there are archaeological features in the site and further research into this is recommended.

### **8.0 RECOMMENDATIONS**

Upon completion of this first phase of recreational assessment, a series of recommendations were made. The recommendations are as follows:

#### **8.1 Additional Research:**

- Field visits should be made in the winter to document other activities, such as snowmobiling and ice-fishing.
- Winter and summer trails should be documented with a GPS. Specifically, the trail into Loonwing Lake.
- Current fisheries data for Mistinikon Lake should be gathered. A creel survey and SLIN survey are recommended.
- Cultural and historical inventories should be conducted in the area, and particular attention should be paid to determine if there are archaeological features in the site.

#### **8.2 Future Management:**

- All recreation camps and hunt camps located within or close to the site should be inspected on a regular basis. Attention should be paid to ensure the LUP holder is in compliance with the conditions stipulated in their permit.
- Close attention should be paid to the OPA/PPL discussions regarding this site. The best possible effort should be made to retain the forest reserve as part of the site. If the forest reserve is removed from the site the conservation reserve should be added to in another area to compensate for the loss of land.



## REFERENCES

Mulrooney, Dan. *Ontario's Living Legacy Guidelines for Recreation Resource Assessment, Version 3* – May 2002. Ontario Parks, May 2002.

Ontario Ministry of Natural Resources. *Mistinikon Lake Uplands Conservation Reserve (C1600) Factsheet*, September 2002.

Canadian Canoe Routes World Wide Web Address, [www.myccr.com](http://www.myccr.com), 1995-2003

# RECREATION INVENTORY CHECKLIST

NAME     **C1600 Mistinikon Lake Uplands Conservation Reserve**

MAP NAME Matachewan                      NTS Number: 41P/15                      UTM reference: 515531

OBM Number:              LATITUDE              LONGITUDE      AREA (ha)              OWNERSHIP  
510/5310              47 57; 10"N              82 47' 53"W      5,071.00              Crown

MNR REGION              MNR DISTRICT              PARK ZONE              COUNT              TOWNSHIP  
Northeast              Kirkland Lake              Northeast                           Bannockburn, Powell, Doon, Yarrow

- RECREATION

  - 1. M00 - Waterbodies, General
  - 2. A01 - Sport Fish
  - 3. W03 - Land Mammals, Large
  - 4. T05 - Water Routes
  - 5. B00 - Shore Features, General
  - 6. Q19 - Stacks & Cliffs
  - 7. J01 - Colluvial
  - 8.
- RECREATION

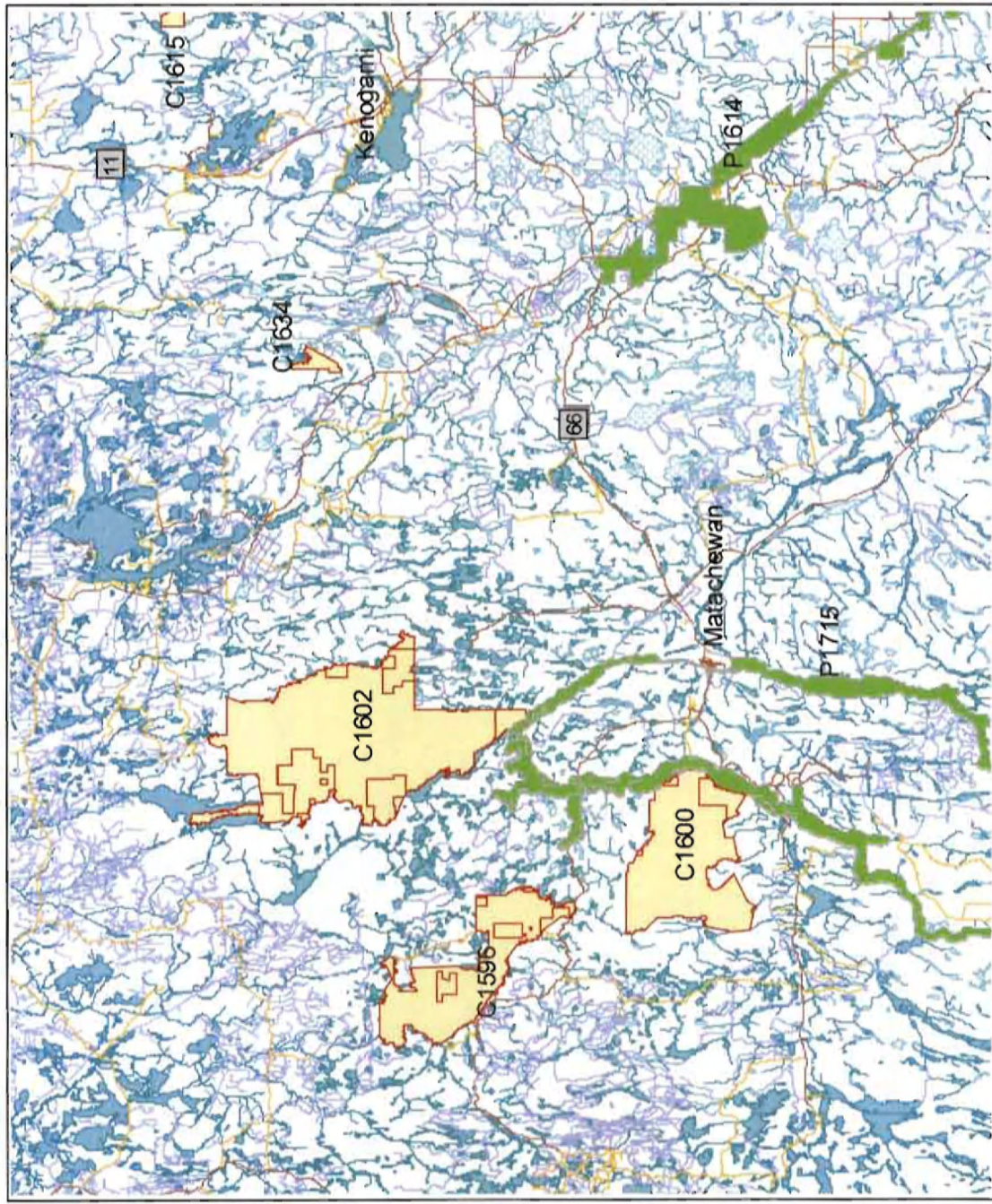
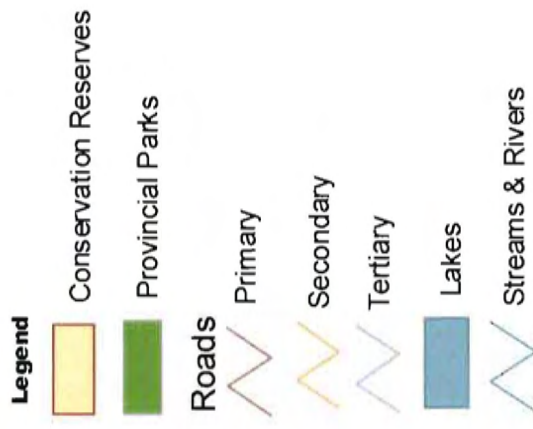
  - 1. F00 - Fishing - General
  - 2. B01 - Boating
  - 3. B02 - Canoeing
  - 4. T08 - Hiking
  - 5. K00 - Camping Activities, General
  - 6. H06 - Trapping
  - 7. H00 - Hunting, General
  - 8. b13 - Swimming

RECREATION	FEATURES	Rating:	Very High	High	Moderate	Low	N/A
Most Scarce Feature:	7						
Feature Scarcity:		High					
Most Unique Feature:	7						
Activity Attraction Capability:		High					
Scenic Attractiveness:		High					
Geographic Significance:		Moderate					
Feature Significance:		Moderate					
Most Sensitive Feature To Recreation	2						
Feature Sensitivity To Recreation Use:		Low					
Most Sensitive Feature To Resource	1						
Feature Sensitivity To Resource Development:		Low					
Cultural/Historic and Archaeological Features:		C					

Comments The Mistinidon Lake uplands CR is situated in the townships of Bannockburn, Powell, Doon and Yarrow. The CR covers an area of approximately 5071 ha. The nearest community is the town of Matachewan which is located approx. 10km from the Conservation Reserve.

DATE COMPILED     COMPILER  
Thursday, October     Jennifer Telford

# **Appendix B:** **Map of Ontario's Living** **Legacy Sites in The Area** **Of C1600**



10 0 10 20 30 Kilometers

Scale 1 : 400,000



This map is illustrative only. Do not rely on it as being a precise indicator of routes, locations of features, nor as a guide to navigation.

Designed and produced by: Jennifer Telford  
 Resource Manager, Ministry of Natural Resources.

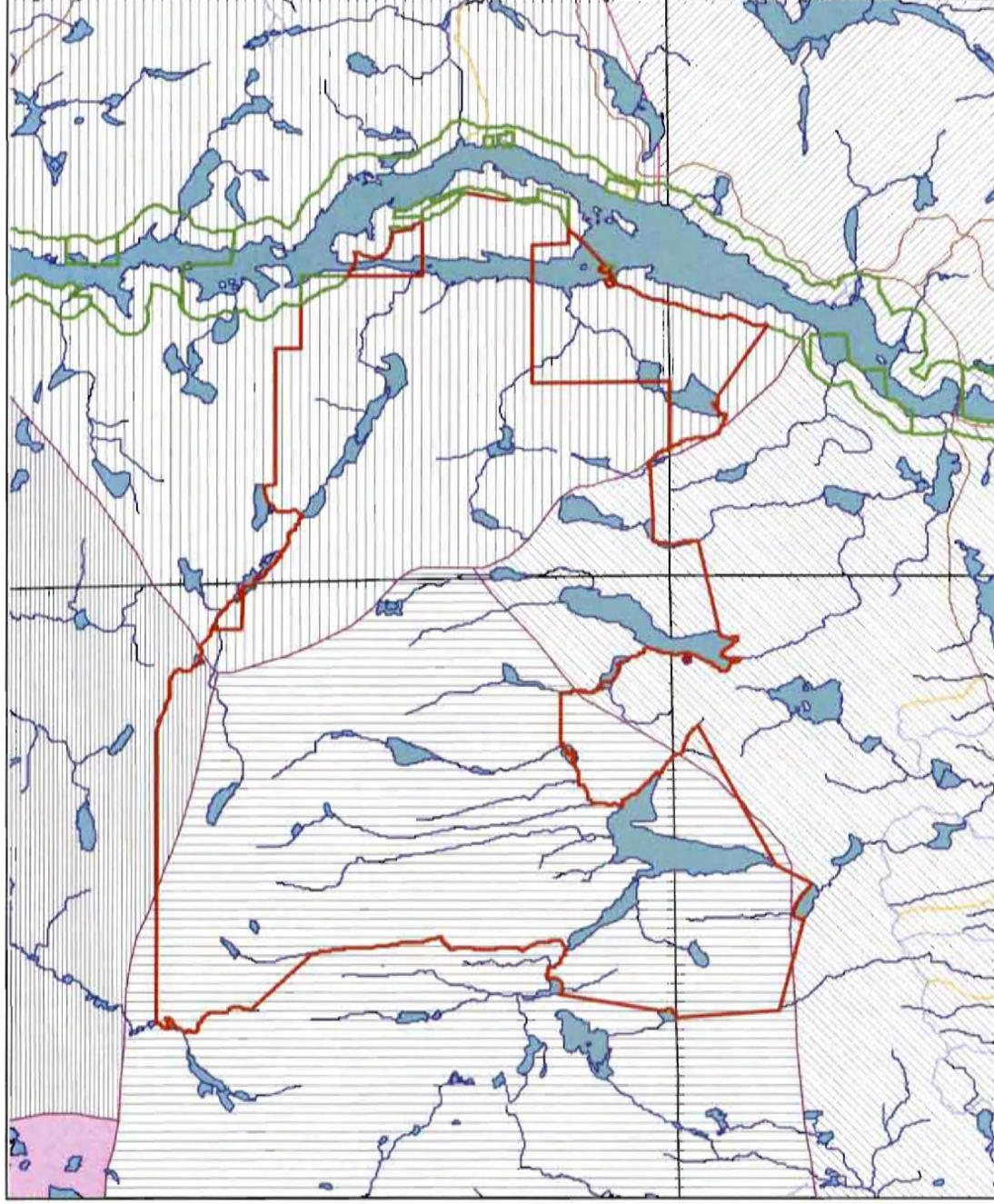
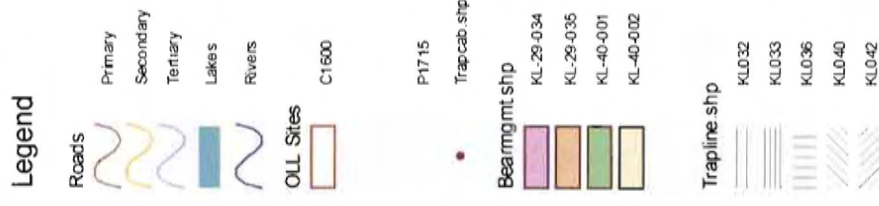
Projection: UTM, NAD 83, Meters, Zone 17

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# Appendix C

## Wildlife Management Area's in C1600



10 Kilometers

5

0

5

This map is illustrative only. Do not rely on it as being a precise indicator of routes, locations of features, nor as a guide to navigation.

Designed and produced by: Jennifer Telford  
Resource Manager, Ministry of Natural Resources  
Projection: UTM, NAD 83, Meters, Zone 17  
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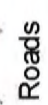







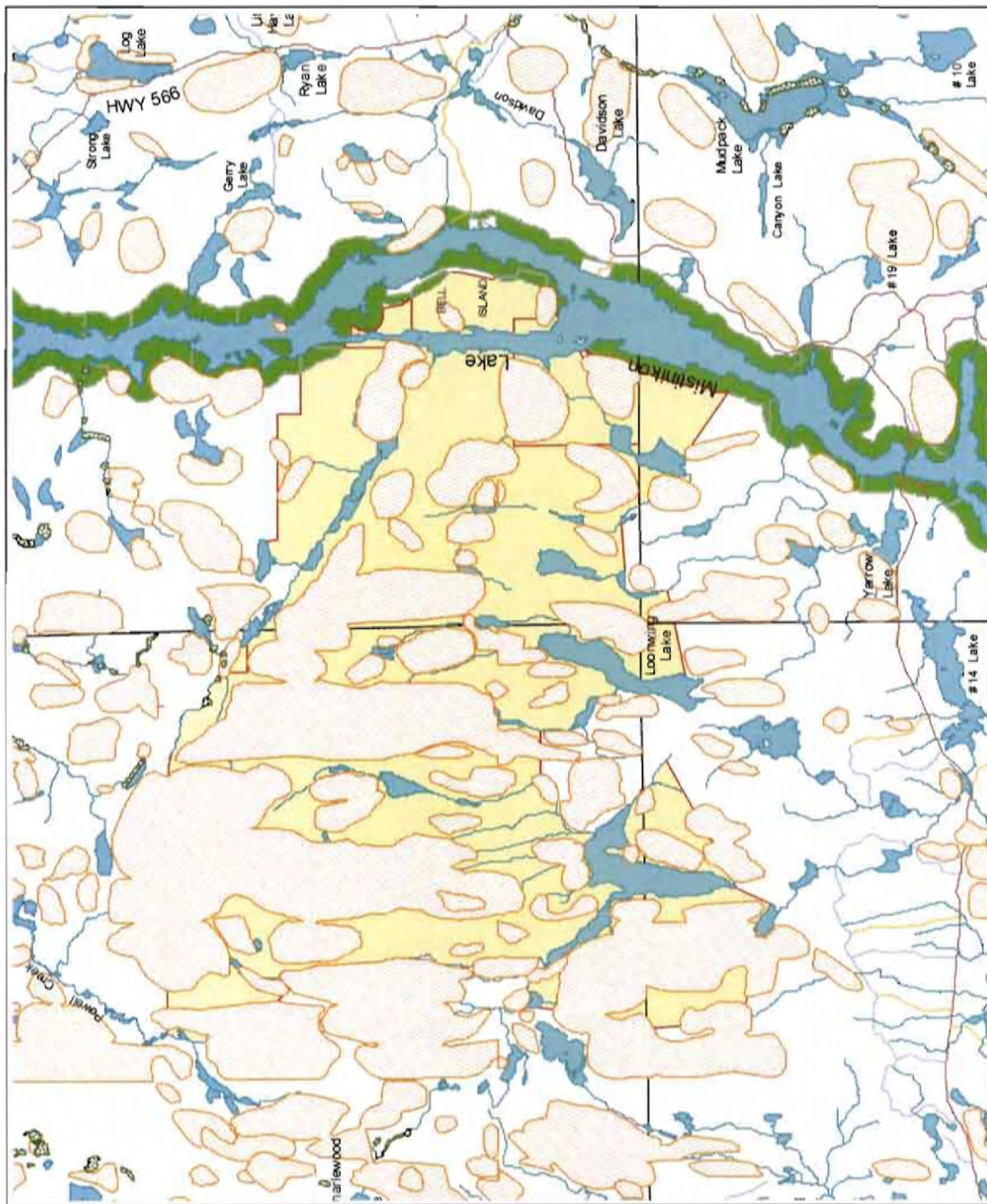
# Appendix D

C1600

## Wildlife Areas

### Legend

-  Conservation Reserves
-  Provincial Parks
-  Township Boundary
-  Lakes
-  Streams & Rivers
-  Roads
-  Primary
-  Secondary
-  Tertiary
-  Moose Wintering Areas
-  Moose Aquatic Feeding Areas



10 Kilometers

5

0

5

Scale 1: 100,000



This map is illustrative only. Do not rely on it as being a precise indicator of routes, locations of features, nor as a guide to navigation.

Designed and produced by: Jennifer Telford  
Resource Manager, Ministry of Natural Resources.

Projection: UTM, NAD 83, Meters, Zone 17  
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## **Appendix E: Mistinikon lake Uplands Conservation Reserve Factsheet**

# **MISTINIKON LAKE UPLANDS CONSERVATION RESERVE - C1600**

## **FACT SHEET**

### **Background**

On July 16, 1999, the Ontario Government released the Ontario's Living Legacy Land Use Strategy to guide the planning and management of Crown lands in central and parts of northern Ontario. A major part of the Ontario's Living Legacy Land Use Strategy was a government intent to establish 378 new protected areas. This commitment marks the biggest expansion of provincial parks and conservation reserves in Ontario's history. The proposed Mistinikon Lake Uplands Conservation Reserve is part of the significant expansion of Ontario's protected areas system.

### **Size and Location**

The Mistinikon Lake Uplands Conservation Reserve, consisting of approximately 5,071 hectares of land. This site is found in Bannockburn, Powell, Argyle and Baden Townships in the District of Timiskaming.

### **Area Highlights**

This site contains strongly broken deep and shallow sandy till and bare bedrock dominates this upland site with white birch. Black spruce (331 to 100 years old), 31 to 70 year old jack pine, and polar/aspen complement the white birch stands. Old growth yellow birch (121+ years) is also represented within the candidate. This site is located just west of Mistinikon Lake with a number of good-sized, unnamed lakes throughout the southern section. An old fire lookout remains just west of Mistinikon Lake. The site contains scattered white pine, cliff communities, steep hills and kettle lakes.

### **Land Use Intent**

Conservation reserves are areas of Crown land set aside by regulation under the Public Lands Act. Conservation reserves complement provincial parks in protecting representative natural areas and special landscapes. Most recreational; (e.g. hiking, skiing, tourism related uses, nature appreciation) and non-industrial (e.g. fur harvesting, commercial fishing and bait fishing) activities that have traditionally been enjoyed in the area will continue, provided that these uses do not impact on the natural features needing protection. Hunting and fishing are permitted within all new conservation

**Appendix #4**  
**Procedural Guideline B – Land Uses – Test of Compatibility**  
**(PL Procedure 3.03.05)**

**Procedural Guideline B – Land Uses – Test of Compatibility**  
**(PL Procedure 3.03.05)**

The Conservation Reserve policy provides broad direction with regard to the permitted uses. The policy provides **only an indication** of the variety of uses that will be considered acceptable in Conservation Reserves. The only caution is that **“any new uses, and commercial activities associated with them, will be considered on a case by case basis and, they must pass a test of compatibility to be acceptable.”**

What does a “test of compatibility” mean? An examination of this must start from the premise of why an area is set aside – specifically, its representative natural heritage values. Criteria are then identified to guide compatibility considerations. These criteria apply to the long-term acceptability of both existing uses and new uses.

1. **Conformity to SCI/RMP:** SCI describes values for which an area has been set aside and the range of appropriate uses that will be permitted in the area. SCI may also speak to the acceptability of other ‘new’ uses currently not occurring in the area.

The first ‘test’ is: “do proposed new land uses and/or commercial activities conform to the direction of the SCI/RMP for the Conservation Reserve? Would the new use(s) depart from the spirit of appropriate indicator land uses in the SCI/RMP?”

2. **Impact Assessment:** If the proposed use(s) pass test 1 it is important to determine their impact on the area before they are approved. This should include the following:
  - Impact on **natural heritage values**: “will the new use(s) impact any natural values in the area? If so, how and to what degree? Is it tolerable?”
  - Impact on **cultural values**: “will the new use(s) impact any historical or archaeological values in the area?”
  - Impact on **research activities**: “will the new use(s) affect research activities in the area?”
  - Impact on **current uses**: “will the new use(s) have any negative impact on the array of current uses?”
  - Impact on **area administration**: “will the new use(s) increase administrative cost and/or complexity?” (For example, the cost of area monitoring, security or enforcement).
  - Impact on **accommodating the use outside** the Conservation Reserve: “Could the use(s) be accommodated as well or better outside the Conservation Reserve?”



- Impact on **socio-economics of the area**: “will the new use(s) affect the community (ies) surrounding the area in a positive or negative way?” (For example, will the new use make an area less remote thereby affecting a local tourism industry that is dependent on the area’s remoteness for its appeal?).
- Impact on **area accessibility**: “does the new use(s) give someone exclusive rights to the area or a portion of the area to the exclusion of other existing uses?”

**Appendix #5**  
**Procedural Guideline C – Research Activities in Conservation**  
**Reserves**

## **Procedural Guideline C – Research Activities in Conservation Reserves**

### **Purpose**

To encourage contributions to the goal of conservation reserves by:

- Providing direction for research activities associated with conservation reserves: and
- Establishing a process for the review and approval of proposals by researchers, which could have an impact on the values protected by the conservation reserve.

### **Definition**

Research means any investigation or study of the natural, cultural, social, economic, management or other features of characteristics of conservation reserves.

### **Guidelines**

Research will be encouraged to provide a better understanding of the natural values protected by a conservation reserve and to advance their protection, planning and management. The Statement of Conservation Interest will define, for each conservation reserve, the key research issues, set out the parameters within which research may occur and identify research needs.

### **Applications and Approvals**

Researchers must apply in writing to the Area Supervisor for permission to conduct research. The request letter must contain a statement explaining why the proposed research should be undertaken in the particular conservation reserve in preference to another location.

Proposals will be reviewed and approved by the Area Supervisor, guided by the Statement of Conservation Interest prepared for each reserve (See Guideline A – Resource Management Planning) and using Guideline B- Land Uses – Test of Compatibility. Permission must be granted in writing, including any conditions to be met in conducting the research, prior to the undertaking of any research project.

### **Terms and Conditions**

Permission to conduct research under this policy will be valid for a period of 12 consecutive months from date of issue. Permission to continue a research project for additional periods of 12 months or less may be granted upon submission of a written request and progress report. The Ministry may require

the posting of collateral to assure that the terms and conditions of granting permission are to be met.

The Area Supervisor may suspend or revoke permission at any time for failure on the part of the researcher to meet:

1. The intent or conditions of this policy.
2. The requirements under the Public Lands Act, including all amendments, where applicable.
3. The requirements under any other Act or Regulations of Ontario or Canada, including those governing the taking, handling, storing, confining, trapping, excavating and marketing any specimen, artifact, information or action (for example, scientific collector's permit).
4. The conditions and agreements specified in granting permission.

### **Final Report**

The researcher will submit copies of reports, publications and theses following from the results of the project to the Area Supervisor.

**Appendix 6**  
**Crown Land Use Atlas – Policy Report**

## CROWN LAND USE POLICY ATLAS - POLICY REPORT

C1600

Mistinikon Lake Uplands

Updated: June 29, 2004

**IDENTIFICATION:**

**ID:** C1600  
**Area Name:** Mistinikon Lake Uplands  
**Area (ha):** 4,330  
**Designation:** Conservation Reserve (Ontario's Living Legacy)  
**MNR District(s):** Kirkland Lake

**DESCRIPTION:**

Strongly broken deep and shallow sandy till, and bare bedrock dominate this upland site with white birch. Black spruce (31 to 100 years old), 31 to 70 year old jack pine, and poplar/aspen complement the white birch stands. Old growth yellow birch (121+ years) is also represented within the candidate. This site is located just west of Mistinikon Lake with a number of good sized, unnamed lakes throughout the southern section. An old fire lookout remains just west of Mistinikon Lake. The site contains scattered white pine, cliff communities, steep hills, and kettle lakes.

Mistinikon Lake Uplands was regulated as a conservation reserve on May 8, 2002.

**LAND USE INTENT:**

Management of this area is also governed by the general policies contained in the Land Use Strategy (1999).

**MANAGEMENT DIRECTION:**

Those uses and management activities not listed in the following table are governed by existing conservation reserve policy. Over time the management direction will be elaborated in a Statement of Conservation Interest or Resource Management Plan. Any new uses, and commercial activities associated with conservation reserves, will be considered on a case by case basis, and they must pass a test of compatibility to be acceptable. Compatibility is normally determined through a planning process.

ACTIVITY	PERMITTED	GUIDELINES
<b>Commercial Activities</b>		
<b>Aggregate Extraction</b>	No	
<b>Bait Fishing</b>		
<b>Existing:</b>	Yes	Existing use permitted to continue, unless there are significant demonstrated conflicts. New operations can be considered, subject to the "test of compatibility".
<b>New:</b>	Maybe	
<b>Commercial Fishing</b>		
<b>Existing:</b>	Yes	Existing use permitted to continue, unless there are significant demonstrated conflicts. New operations can be considered, subject to the "test of compatibility".
<b>New:</b>	Maybe	
<b>Commercial Fur Harvesting</b>		
<b>Existing:</b>	Yes	Existing use permitted to continue, unless there are significant demonstrated conflicts. Existing trap cabins can continue; new cabins are not permitted. New operations can be considered, subject to the "test of compatibility".
<b>New:</b>	Maybe	
<b>Commercial Hydro Development</b>	No	
<b>Commercial Timber Harvest</b>	No	

## CROWN LAND USE POLICY ATLAS - POLICY REPORT

C1600

Mistinikon Lake Uplands

Updated: June 29, 2004

**Commercial Tourism****Existing:**

Yes

**New:**

Maybe

Existing authorized facilities can continue, unless there are significant demonstrated conflicts. New tourism facilities can be considered during the planning for an individual reserve.

- Bear Hunting by Non-residents (guided)**

**Existing:**

Yes

**New:**

No

Existing authorized operations permitted to continue. New operations not permitted.

- Outfitting Services**

**Existing:**

Yes

**New:**

Maybe

Existing authorized operations permitted to continue. New operations can be considered during the planning for an individual reserve.

- Outpost Camps**

**Existing:**

Yes

**New:**

Maybe

Existing authorized operations permitted to continue. New operations can be considered during the planning for an individual reserve.

- Resorts/lodges**

**Existing:**

Yes

**New:**

Maybe

Existing authorized facilities permitted to continue. New facilities can be considered during the planning for an individual reserve.

**Energy Transmission and Communications Corridors****Existing:**

Yes

**New:**

No

These facilities should avoid conservation reserve lands wherever possible.

**Food Harvesting (Commercial)****Existing:**

Maybe

**New:**

Maybe

**Mineral Exploration and Development**

No

**Peat Extraction**

No

**Wild Rice Harvesting****Existing:**

Yes

**New:**

Maybe

**Land and Resource Management Activities****Crown Land Disposition****Private Use:**

Maybe

**Commercial Use:**

Maybe

Sale of lands is not permitted, except for minor dispositions in support of existing uses (e.g. reconstruction of a septic system). Renewals of existing leases and land use permits are permitted. Requests for transfer of tenure will be considered in the context of the Statement of Conservation Interest or Resource Management Plan. New leases or land use permits permitted for approved activities. Tourism facilities can apply to upgrade tenure from LUP to lease.

**Fire Suppression**

Yes

Fire suppression policies are similar to adjacent Crown lands, unless alternative fire policies have

## CROWN LAND USE POLICY ATLAS - POLICY REPORT

C1600

Mistinikon Lake Uplands

Updated: June 29, 2004

		been developed through a planning process.
<b>Fish Habitat Management</b>	Maybe	
<b>Fish Stocking</b>	Maybe	Conservation Reserves policy indicates that "featured species management" may be permitted.
<b>Insect/disease Suppression</b>	Maybe	
<b>Inventory/Monitoring</b>	Yes	
<b>Prescribed Burning</b>	Maybe	
<b>Roads (Resource Access)</b>		
<b>Existing:</b>	Yes	Existing roads can continue to be used. Continued use will include maintenance and may include future upgrading. New roads for resource extraction will not be permitted, with the exception of necessary access to existing forest reserves for mineral exploration and development.
<b>New:</b>	Maybe	
<b>Vegetation Management</b>	Maybe	Conservation Reserves policy indicates that Featured Species Management and Natural Systems Management may be permitted. Vegetation management can be considered in a planning process.
<b>Wildlife Population Management</b>	Maybe	
<b><u>Science, Education and Heritage Appreciation</u></b>		
<b>Collecting</b>	No	
<b>Historical Appreciation</b>	Yes	
<b>Nature Appreciation</b>	Yes	
<b>Photography and Painting</b>	Yes	
<b>Research</b>	Yes	
<b>Wildlife Viewing</b>	Yes	
<b><u>Recreation Activities and Facilities</u></b>		
<b>All Terrain Vehicle Use</b>		
<b>On Trails:</b>	Yes	Existing use permitted to continue where it does not adversely affect the values being protected. ATV use off trails is not permitted, except for direct retrieval of game.
<b>Off Trails:</b>	No	
<b>Campgrounds</b>	Maybe	
<b>Food Gathering</b>	Yes	
<b>Horseback Riding (trail)</b>	Yes	Existing use on trails permitted.
<b>Hunting</b>	Yes	
<b>Mountain Bike Use</b>	Yes	Existing use on trails permitted.
<b>Motor Boat Use</b>		
<b>Commercial:</b>	Yes	
<b>Private:</b>	Yes	



**CROWN LAND USE POLICY ATLAS - POLICY REPORT**

C1600

Mistinikon Lake Uplands

Updated: June 29, 2004

<b>Non-motorized Recreation Travel</b>	Yes	
<b>Private Recreation Camps (Hunt Camps)</b>		
<b>Existing:</b>	Yes	Existing camps permitted to continue, and may be eligible for enhanced tenure, but not purchase of land.
<b>New:</b>	No	
<b>Rock Climbing</b>	Maybe	
<b>Snowmobiling</b>		
<b>On Trails:</b>	Yes	Except for the direct retrieval of game.
<b>Off Trails:</b>	No	
<b>Sport Fishing</b>	Yes	
<b>Trail Development</b>		
<b>Existing:</b>	Yes	Development of trails for a variety of activities (e.g., hiking, cross-country skiing, cycling, horseback riding, snowmobiling) can be considered as part of planning for an individual reserve.
<b>New:</b>	Maybe	

Note: The policies outlined in this table do not supersede any Aboriginal or treaty rights that may exist, or other legal obligations.

Management of this conservation reserve is carried out within the context of Conservation Reserve policy as amended by the policies for new conservation reserves outlined in the Ontario's Living Legacy Land Use Strategy.

**SOURCE OF DIRECTION:**

Ontario's Living Legacy Land Use Strategy (1999)

Conservation Reserves Policy (1997)

**EXPLANATION OF EDITS:**

## **Appendix 7**

### **Locator Map**

# **Appendix 7** **Mistinkon Lake Uplands** **Conservation Reserve (C1600)** **Locator Map**

## **Legend**

- Waterbodies**
- Lake
  - Wetland
  - Rivers
- Roads**
- Primary
  - Secondary
- OLL Sites**
- Conservation Reserves
  - Provincial Park

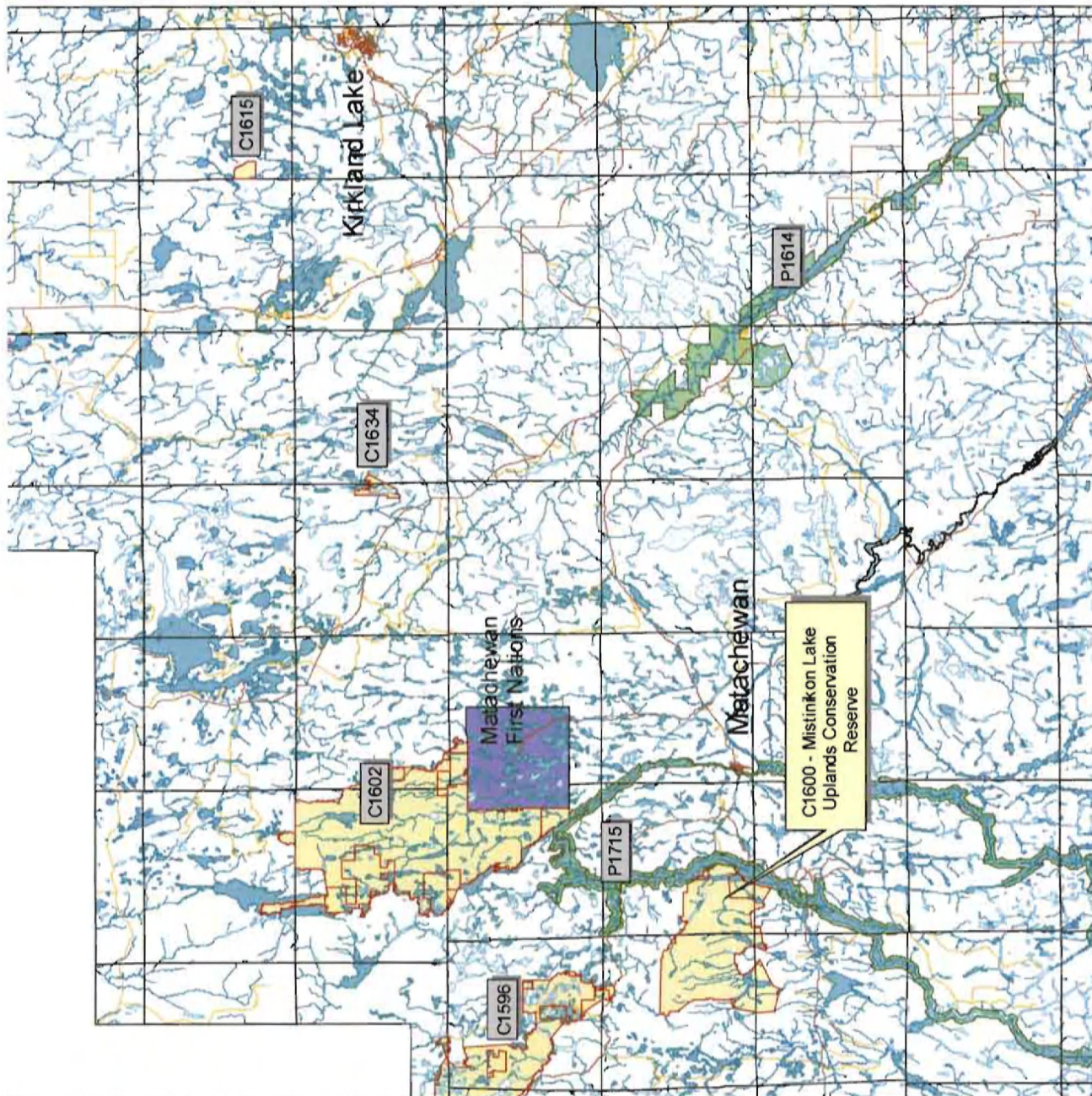
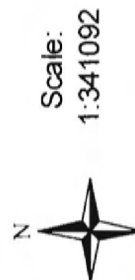
This map is illustrative only. Do not rely on it as being a precise indicator of routes, locations of features, nor as a guide to navigation.

Designed and produced by: Jessica Malone  
 Land Use Planning Intern,  
 Ministry of Natural Resources.

Projection: UTM, NAD  
 83, Meters, Zone 17

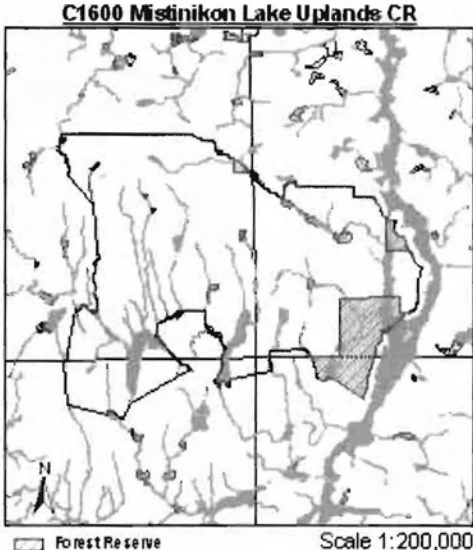


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**Appendix 8**  
**Natural Heritage - Life Science Checksheet**

# NATURAL HERITAGE AREA – LIFE SCIENCE CHECKSHEET

<b>Name</b> C1600 Mistinikon Lake Uplands Conservation Reserve		<b>Map Name</b> Matachewan		<b>Map Number</b> 41P/15	<b>UTM Ref.</b> 515531
<b>Locality</b> Timiskaming		<b>Lat.</b> 47°57'10"N	<b>Long.</b> 80°47'53"W	<b>NAD</b> 83 CNT	<b>Min. Alt.</b> 330 m  <b>Max. Alt.</b> 570 m
<b>Township</b> Bannockburn, Powell, Doon, Yarrow					
<b>Area</b> 4686 ha					
<b>Ownership</b> Crown					
<b>MNR Region</b> Northeast					
<b>MNR District</b> Kirkland Lake	<b>Ecoregion and Ecodistrict</b> 3E-5 (Hills 1959; Crins & Uhlig 2000)				
<b>Landform Unit(s)</b> (preliminary) 9 Organic deposits 3e Till deposits – lineated till plain 2g Bedrock-Drift complex – talus slopes 2ac Bedrock-Drift complex – discontinuous predominantly till drift cover 2a Bedrock-Drift complex – predominantly till drift cover 1 Bedrock outcrop					
<b>Aerial Photographs</b> Year – Flight Line – Roll – Numbers 86-4733-04-211 to 215 86-4732-06-12 to 16 86-4731-26-107 to 111					
<b>Physical and Biological Features</b> <u>Representation</u> <p>The Mistinikon Lake Uplands Conservation Reserve (C1600) is located in the Kirkland Lake MNR District in the townships of Bannockburn, Powell, Doon and Yarrow approximately 10 kilometres west of the town of Matachewan. At 4686 hectares, it is comprised of vectored and biological boundaries and is linked to the West Montreal River Provincial Park at the east end. According to the OLL Land Use Strategy (1999), the CR is characterized by strongly broken deep and shallow sandy till and bare bedrock dominate this upland site with white birch. Black spruce, old jack pine and aspen complement the white birch stands and old growth yellow birch is also present. It also contains scattered white pine, cliff communities, steep hills and kettle lakes.</p> <p>The conservation reserve is located in ecodistrict 3E-5 (Foleyet) of the ecoregion 3E (Lake Abitibi). The ecodistrict is characterized by gently rolling plains with thinly covered rock knobs, sandy outwash and silty depressions. Materials are generally granitic, locally overlain by low-base and low-lime materials. Deep deposits cover 25% of the area and the remaining areas have very shallow deposits (Keddy 1997). With the close association with ecoregion 4E and the Great Lakes-St. Lawrence forest, some sporadic occurrences of species having southern affinities, such as yellow birch, sugar maple and white pine, are present. The ecoregion, also called the Central Boreal Forest Region, is characterized by flat to gently rolling, glacial clay and sandplain with locally extensive peatlands and wetlands, broken throughout by glacial features such as moraines, eskers with Canadian Shield exposure. Regional vegetation includes spruce, poplar, and birch on fresh sites on moderately sloping terrain, white and red pine on sand ridges and American elm and white cedar in protected areas. The forest climate type is mid-humid, mid-boreal (Poser 1992; Noble 1983).</p>					



The CR is dominated by bedrock (Map 1b) according to the quaternary geology of Ontario layer and NOEGTS (Northern Ontario Engineering Geology Terrain Study) (Roed and Hallett 1979). NOEGTS further describes the area as having till ground moraine as a subdominant feature. During the aerial survey (Nicholson 2003), talus was observed at the bottom of a cliff at the northwest and southwest corners. According to Rik Kristjansson (2004), OLL geologist, the site is dominated by bedrock-drift complex with till being the dominant drift cover at times both continuous and discontinuous (units 2a, 2ac). Along the mid-west and mid-south boundary drumlinized till (unit 3e) occurs where the slopes are more gradual. Minor areas of bedrock outcrops (unit 1) and organic deposits (unit 9) are scattered throughout the site. Talus slopes (unit 2g) are present on the base of some cliffs but they may not be delineated from the aerial photos.

The area is in Rowe's (1972) B.7 section (Missinaibi-Cabonga) of the Boreal Forest Region. This section is along the height of land in central Ontario and the bulk of the forest is boreal but also contains within as scattered individuals or isolated patches species from the Great Lakes-St. Lawrence Forest. The predominant forest is mixed consisting of balsam fir, black spruce and white birch with scattered white spruce and trembling aspen. Jack pine occurs on sand terraces and can also be associated with black spruce on poor, rocky soils. Black spruce with tamarack covers wet organic soils and with cedar in other lowlands. The topography is rolling with numerous flats along the rivers and lake sides.

There are 31 forest communities (wetland FRI including) in the conservation reserve with 11 accounting for less than 1% of the total area (Map 2a, Appendix 2). The dominant communities include Bw predominant hardwood<sup>1</sup> (24.5% of the total area), Bw hardwood mixed<sup>2</sup> (15.9%) and Bw mixedwood (12.5%). The rest account for less than 10% and are dominated by black spruce, jack pine, aspen, yellow birch, white spruce or cedar. Supercanopy spruce and white pine are scattered throughout. Spruce was associated with the white birch forest communities while white pine was found along lake edges. Red maple was more common than was reported in the FRI (Nicholson 2003). Despite the large areas of bedrock, most of the forest communities were heavily stocked (Map 2b). Many of the pure Bw stands had no stocking but they were classed as barren-and-scattered blocks and many were associated with lowland areas. Lower stocking occurred in many valley bottoms. The majority of the stands are 65 to 75 years of age suggesting fire swept through the area in the 1930's but according to the fire disturbance map (Appendix 1), only the northwest corner burned. Forest communities containing yellow birch were the oldest stands in the site, starting at 105 years of age. These yellow birch stands, based on Bridge et al definitions (2000), were classified as old growth (Map 5, Appendix 2). The only other old growth occurs in a Sb dominant conifer stand on the mid-north boundary.

The forest communities are redefined as Standard Forest Units (SFU's), a more ecological approach to forests. The conservation reserve is dominated by BW1 (white birch poplar mixed hardwoods) (38.8% of the total area) and MW2 (rich upland mix) (24.5%). There are 8 other SFU's, such as SP1 (upland black spruce), PJ2 (jack pine-black spruce mix) and PO1 (poplar), which account for <10% each of the total area.

Wetlands<sup>3</sup> are not a dominant feature of this conservation reserve and is mainly restricted to the many creeks (Map 3b). Many of the creeks contained shore fens and meadow marshes with the odd thicket swamp. Conifer swamps occur in a couple of Sb and Ce dominated forest communities.

The conservation reserve is situated in the 2JD tertiary watershed of the Ottawa River major basin (OMNR 2002). Many of the creeks and small lakes in the site form headwaters to Mistinikon Lake and Montreal River. Walleye, northern pike and smallmouth bass are the fish species in Mistinikon Lake.

<sup>1</sup> Conifer stands are defined as follows: pure conifer stands contain 100% of a conifer trees in the canopy; dominant conifer stands contain less than 10% cover of hardwoods in the main canopy and predominant conifer stands contain less than 20% cover of hardwoods in the main canopy. Similarly hardwood stands may contain no conifer in canopy (pure hardwood), less than 10% conifer (dominant hardwood) or less than 20% conifer cover (predominant hardwood) (modified after Taylor et al 2000).

<sup>2</sup> Mixedwoods are defined as follows: hardwood mixedwoods are stands dominated by hardwoods with less than 30% cover of conifer in the main canopy; similarly conifer mixedwoods contain less than 30% hardwoods in the canopy. Mixedwoods contain approximately equal percentages of conifer and hardwood trees and true mixedwoods contain a 50:50 split between conifers and hardwoods (modified after Taylor et al 2000).

<sup>3</sup> Wetlands were classified after Arnup et al. 1999 and Harris et al 1996.

There is an abundance of early wintering area for moose (Map 3a). The forest communities are typical of early winter habitat; mature to over mature mixedwood stands. Late wintering habitat occurs in several areas and these areas are generally dense conifer forest communities.

Other values (Map 3a) include traplines KL032, KL033, KL036 and KL040 and bear management areas KL-29-034, KL-29-035 and KL-40-001. Several cottages are located on Mistinikon Lake.

#### Condition

Condition<sup>4</sup> is the amount of disturbance whether it is caused by human or natural influences. For this conservation, the disturbance is rated low, almost pristine condition. Any disturbance was human related. An old camp was observed at the northeast corner of the unnamed lake in the southwest corner of the CR, with garbage strewn all around it (Nicholson 2003). Cottages are also situated on Bell Island and Mistinikon Lake. The other human disturbance was an abandoned fire tower at the southeast corner, just west of Mistinikon Lake. No roads or trails were observed.

<sup>4</sup>Rating based on the amount of area currently under some form of known disturbance. High is >20% of the area, medium 10 to 20 %, low <10% and pristine <1%.

#### Diversity

Diversity<sup>5</sup> is a measure of the site's life and earth science heterogeneity. It is based on the number and range (variety) of the natural landscape features and landforms for earth science values and the relative richness and evenness of the site's life science components. Based on Ontario Parks (2003) analysis of the conservation reserve within ecodistrict 3E-5, diversity is rated as low. There were 7 landform:vegetation (L:V) combinations of which only bedrock was the landform present. The dominant formations were dense deciduous forest (35.96% of the total area) and mixed deciduous forest (24.65%) on bedrock. These 2 vegetation groupings are equivalent to the different white birch forest communities from FRI. Based on Kristjansson's interpretation of the site, it is expected that the rating would remain low. The CR is dominated by 2 SFU's (BW1 and MW2) and basically 2 landform units (2ac and 3e). There are 8 other SFU's which only account for <10% each of the total area.

Wetlands add little to the diversity rating since it only accounts for 4.9% of the total area and it lacks variety. Development stages may add to the diversity rating. The 2 dominant SFU's are represented by immature, mature and old growth stages. The other SFU's are represented by at least immature communities with some including mature communities. Dispersion is another feature that could add to diversity since representation from each of the SFU's could be found across the CR. The cliffs on the west side add an unique feature to the site and support different plant life.

Evenness<sup>6</sup> is the number of communities that control the vegetative nature of the site. If the site is equally represented by all its forest communities (SFU's) and FRI wetlands then evenness is considered even. For C1600, evenness is strongly skewed towards BW1, MW2 and SP1 (66.2% of the area total) and this has been re-iterated several times. As a result of this skewness, diversity is greatly reduced in the CR.

<sup>4</sup>Diversity rating, developed by John Thompson & Jake Noordhof (2003), is based on the size of the conservation reserve versus the number of landforms:vegetation (SFU/HU) combinations. For CR's <500 ha, high diversity is >25 L:V combinations, medium for >15 L:V, and low for <15 L:V. For areas 500 – 2000 ha, high is >30, medium >20 and low <20. For areas >2000 ha, high >35, medium >25 and low <25 L:V combinations.

<sup>5</sup>Evenness of the site defined as strongly skewed (top 3 communities capture >=60% of the site in area), moderately skewed (30-59%) or slightly skewed to even (<30%).

### Ecological Considerations

Whenever possible, a site's boundaries should be created to include the greatest diversity of life and earth science features to provide maximum ecological integrity. It should be ecologically self-contained, bounded by natural features and include adequate area to buffer the core ecosystems from intrusive influences (OMNR 1992). Mistinikon Lake Uplands Conservation Reserve is bound by a mixture of biological and vectored borders as well as the West Montreal River Provincial Park on the east side. Using many of the vectors is unavoidable as no natural features are present. If the forest reserve at the southeast corner is dropped from the site, it is suggested the replacement area would be the indentation on the south side (see Appendix 1 – Ecological Considerations). This would create a more round site and reduce the appearance of 'bite marks' in the CR. As well, to shorten the length of one vector, a creek and lake could be used on the west side. This would also provide more protection to the cliff and talus slopes in that immediate area. This site is fairly round so much of the core area remained intact. An important design aspect of this CR is the linkage to the provincial park and ultimately to C1602 at the north end of the provincial park. It increases representation in a protected area and thus diversity.

Currently we do not have minimum size standards for conservation reserves under different landscape conditions. However, a minimum size standard of 2000 ha has been established for natural environment parks by Ontario Parks (OMNR 1992). This minimum standard was considered necessary to protect representative landscapes as well as allow for low intensity recreational activities. At 4686 hectares, it more than doubles the minimum standard. With its round shape and large size and many biological boundaries, the core areas are protected from any intrusive influences. The 'pristine' condition also makes it attractive for non-motorized recreational activities.

### Special Features

Special features include the 'pristine' condition of the conservation reserve and the two cliffs on the west side. One is approximately 300 meters high and 2 kilometers long. Parts of this vertical rock face are vegetated with conifer trees. The other cliff is not as long or as high but it contains talus slopes on its lower half. Another special feature would be the rolling topography and the close resemblance it has to the Algoma Highlands in the Sault Ste. Marie area. The fire tower at the southeast corner would provide amazing views of the surrounding landscapes. The old growth yellow birch stands are the only areas that have a different age distribution. The rest of the site has a fairly even aged distribution.

### Major Information Sources

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### **Significance Level (Provincial/Regional/Local) and Brief Summary of Major Representative Values**

The OLL Land Use Strategy (1999) states the site contains white birch with black spruce, jack pine and aspen stands on strongly broken deep and shallow sandy till and bare bedrock. Old growth yellow birch, scattered white pine, cliff communities, steep hills and kettle lakes are also present. That was based on the blue line boundary (Appendix 1 – History map). The new regulated boundary and forest communities have not changed significantly from the original one. White birch is the dominant tree species with black spruce and jack pine scattered throughout. Stands consisting of yellow birch were generally the only old growth. According to Rik Kristjansson, the CR is dominated by bedrock-drift complex of various depths but it is not the only landform in the site. Several areas, particularly on the west, southwest and mid-south sides, are characterized by drumlinized till and throughout the CR are minor areas of organic deposits or bedrock outcrops.

Based on the analysis by Ontario Parks (2003), the conservation reserve is not provincially significant. The different vegetation types on bedrock are amply represented (protected) elsewhere in the ecodistrict. If these same vegetation types were analyzed with till, one can observe that these combinations too are represented elsewhere in the ecodistrict. This conservation reserve needs to be analyzed based on SFU's and new landform types to determine the significance within the ecodistrict.

### **Sensitivity**

Potentially, the conservation reserve could be susceptible to exterior land use activities along vectored boundaries unless they are clearly marked. Encroachments from cottages along Mistinikon Lake are always a possibility.

### **Recommendations**

1. This second step checksheet should be advanced to a fourth step by digitizing the earth science data based on Kristjansson's interpretations of aerial photos, once these become available and used with SFU to complete a current landform:vegetation analysis. Finally, the checksheet could be advanced to a fifth step by comparing the fourth step checksheet with the current provincial landform layers based on the new regulated boundary to see if comparisons can be made. In turn we can determine more fully the site's significance and contribution to the parks and protected areas program.
2. The vectored boundaries for the site should be marked to ensure that the values within the site are protected from surrounding land use activities. Further analysis and assessment may require additional management prescription to ensure long term protection of the site's natural heritage values.
3. Using the fire lookout tower to view the landscape by possibly linking with the Provincial Park and canoe route. As well, hiking trails could be created on the cliffs on the west side for spectacular views of the surrounding landscape.
4. Alter some of the vectored boundaries to create more ecological boundaries as indicated in the Ecological Considerations map (Appendix 1) and to reduce the risk of any trespassing. If areas are lost due to OPA/PPL disentanglement, the suggested replacement area is on this map. Much of the area surrounding the CR is similar to the interior except harvesting as occurred mid-north, southwest and south of the site.

5. Funding should be secured in the near future to determine the number and location of roads and trails currently present within the site using current global positioning technologies.
6. Any future trail development must consider the values found within the boundaries of the site, the rationale for developing trails within the site and the availability of current access through the site and surrounding areas. Furthermore, any new trail development will require a 'Test of Compatibility'. Low-lying areas and wetlands should be avoided.
7. Overall custodial management is the responsibility of the district office with support from the regional natural heritage specialist and Ontario Parks. To advance conservation reserve custodial management, future managers will need to monitor the current state of the CRs resources at least at the community and landscape levels within and adjacent to the conservation reserve and its surrounding environment. Such monitoring could include: evaluating and reporting on changes such as; natural disturbances (ie. fire, insect/disease, wind throw, etc.), human disturbances (ie. forest harvesting, access and/or other land use activities) as well as management prescriptions (ie. rehabilitation efforts and/or vegetative management planning).
8. Ongoing evaluations and reports will have to rely on current and new technologies such as satellite imagery, global positioning systems (GPS), supplementary aerial photography (SAP) and/or aerial/ground reconnaissance surveys/assessments conducted periodically and placed within a GIS database. Such tools could help managers spatially record areas affected severity of perturbations or management action as well as consider the sensitivity of values, the design of CR and determine the future desired condition of the site. Monitoring efficiencies could be enhanced via partnerships and internal coordination within MNR.<sup>7</sup>

<sup>7</sup> Coordination could include a variety of expertise from the following: Field Services Division, Ontario Parks, Aviation and Forest Fire Management Branch, Forest Health and Silvicultural and Forest Management Planning Sections, Northeast Science and Information etc. Additional expertise within and outside the MNR could be sought as required.

**Time Effort Spent on Site**

September 22, 2003 1:30 to 2:30pm

**Date Compiled**

March 10, 2004

**Compiler(s)**

Barbara Burkhardt, Lori King, Sean Longyear

**Date Reviewed**

**Reviewer**



**C1600 Mistinikon Lake Uplands CR**

Rock cliff in the NW corner of the CR, looking SE. Bw mixedwoods at the base and Sb mixedwoods on the upper slopes.

Photo 25\_9. Taken by Jane Nicholson, Sept. 22/03



**C1600 Mistinikon Lake Uplands CR**

From western boundary, looking SE down arm of large unnamed lake in the CR's SW corner. Surrounded by Sb dominant conifer, Bw pure, Sb conifer mixed, Bw/Pj true mixed, Sb mixedwood and Pj mixedwood forest communities.

Photo 25\_13. Taken by Jane Nicholson, Sept. 22/03



**C1600 Mistinikon Lake Uplands CR**

Rock cliff & talus slope along western boundary in SW corner. Bw hardwood mixed and Sb mixedwood on top, Bw mixedwood below talus.

Photo 25\_15. Taken by Jane Nicholson, Sept. 22/03



**C1600 Mistinikon Lake Uplands CR**

From southern boundary looking toward fire tower. Forest communities include Bw predominant hardwood, Po hardwood mixed & By mixedwood. Supercanopy spruce scattered throughout. Float mats in lake.

Photo 25\_22. Taken by Jane Nicholson, Sept. 22/03



**C1600 Mistinikon Lake Uplands CR**

Mistinikon Lake from the west shoreline looking NE. South side of Bell Island visible. Forest communities in foreground include Bw hardwood mixed, Po pure, Sb mixedwood & Bw predominant hardwood. Supercanopy Pw scattered throughout.

Photo 25\_23. Taken by Jane Nicholson, Sept. 22/03

SURFICIAL GEOLOGY

Scale 1:50,000



Legend  
Geology

- Bedrock Outcrop, Unsubdivided
- Bedrock-Drift Complex, Unsubdivided
- Bedrock-Drift Complex, Drift cover is predominantly till
- Till Deposits Unsubdivided, Bedrock-Drift Complex Drift cover is predominantly till
- Till Deposits Lineated, Complex, Drift cover is predominantly till
- Organic Deposits, Unsubdivided



Map produced by the Ministry of Natural Resources,  
Northeast Region Planning Unit  
P.O. Bag 3020, Hwy 101 East,  
South Porcupine, ON P0N 1H0

October 2004

Sources:  
Surficial Geology: Rik Kristjansson, OMNR 2003  
Base Data: OMNR NRVIS  
Projection: UTM NAD83 CNT Zone 17

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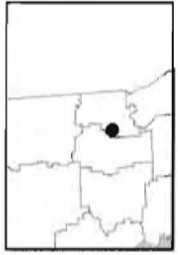
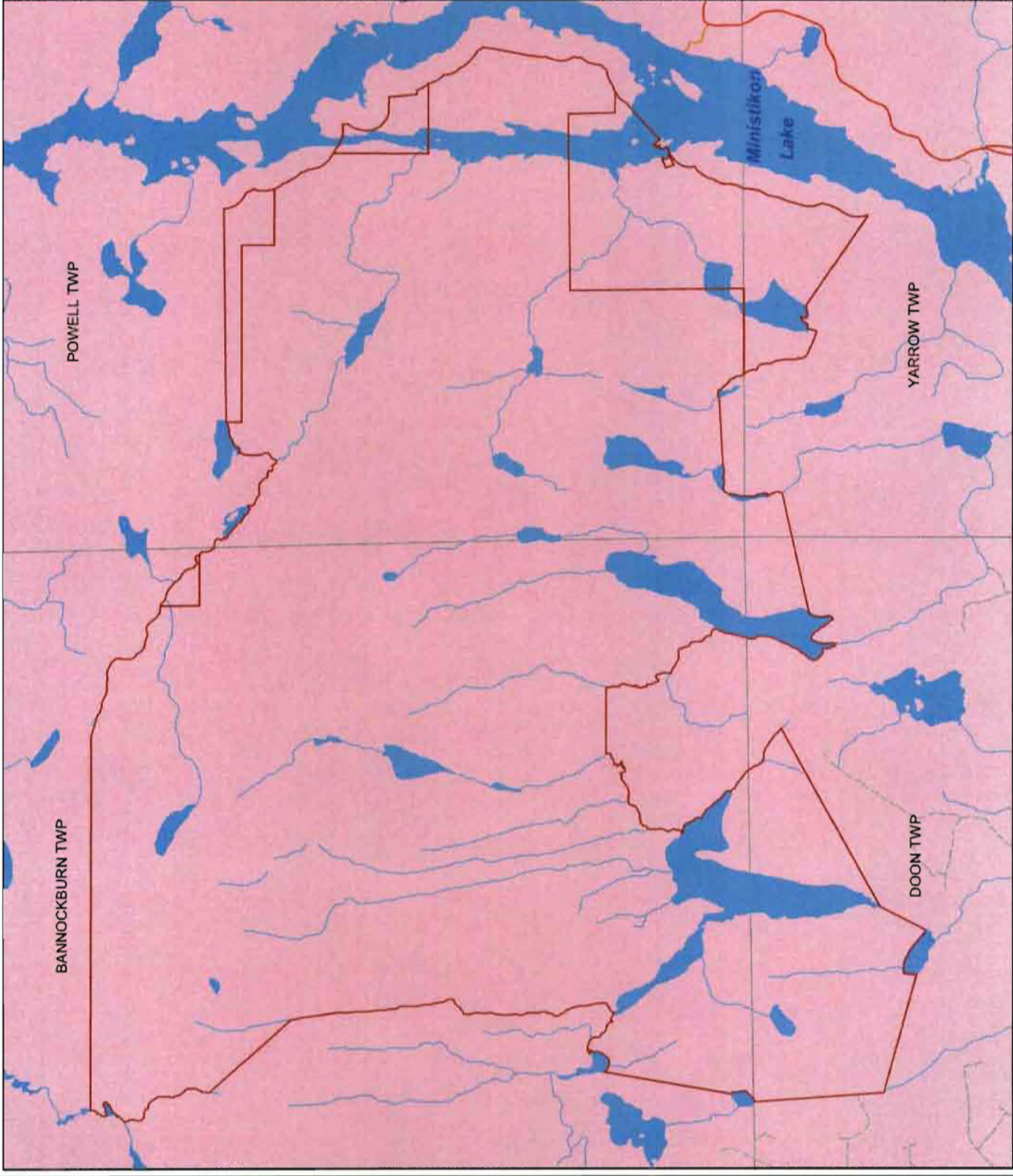


# C1600 Mistinikon Lake Uplands

Map 1b

## GEOLOGY

Scale 1:48,000



Map produced by the Ministry of Natural Resources,  
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P.O. Box 3020, Hwy 101 East,  
South Porcupine, ON P0N 1H0  
February 2004

Sources:  
OGS, Quaternary Geology of Ontario  
Geology of Ontario, Quaternary Geology  
Base Data: OMNR NSR/VS  
Projection: UTM NAD83 CNT Zone 17

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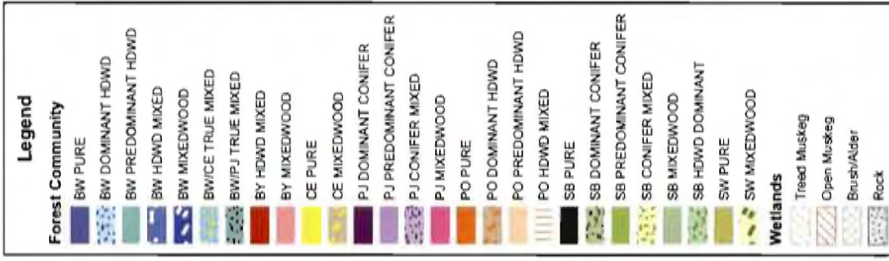


# C1600 Mistinikon Lake Uplands

Map 2a

## FOREST COMMUNITIES

Scale 1:48,000



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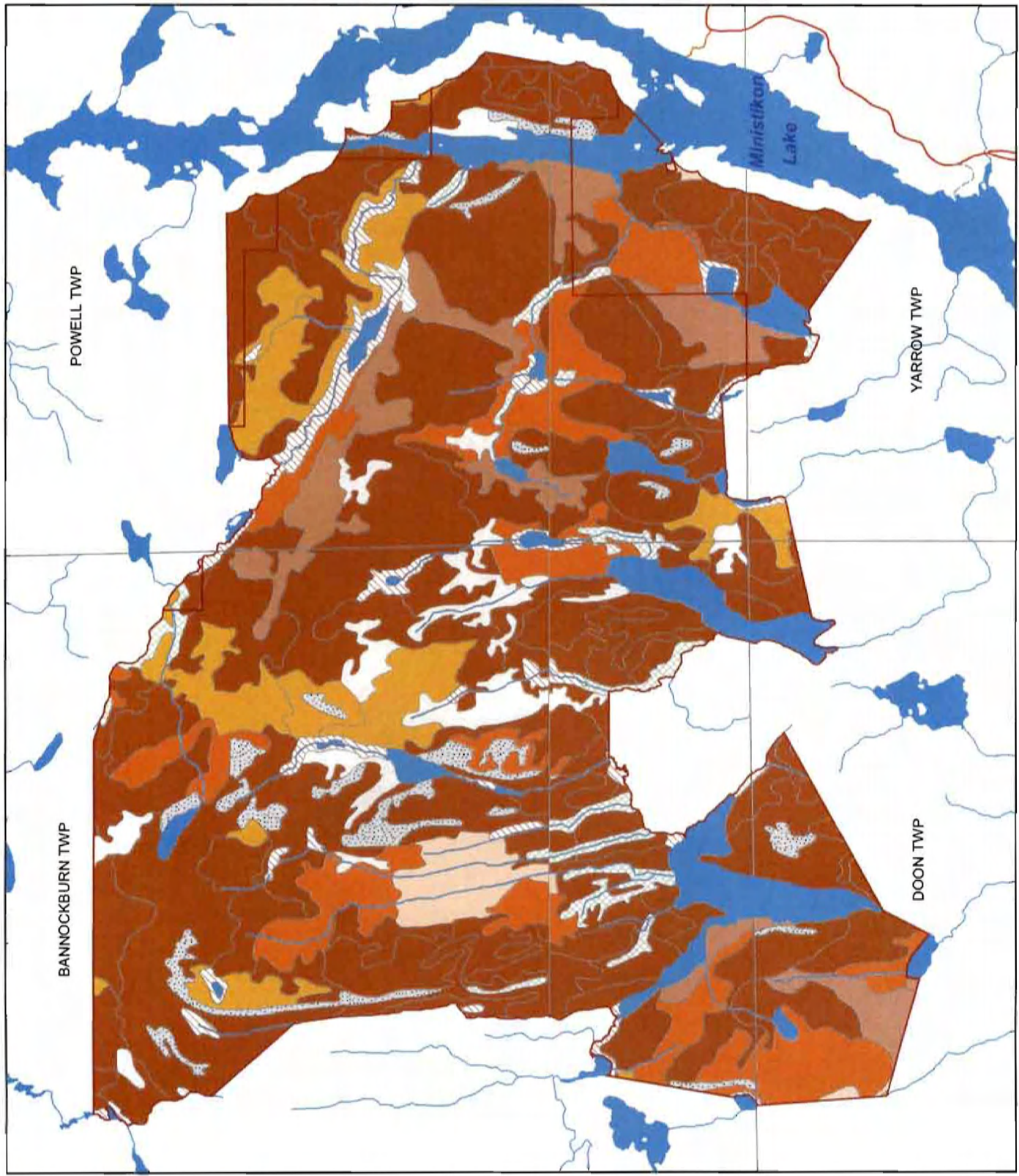
Sources:  
Species: OMNR Forest Resource Inventory  
Roads: OMNR Kirkland Lake District (Preliminary Update)  
Base Data: OMNR NRVIS  
Projection: UTM NAD83 CNT Zone 17

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C1600 Mistinikon Lake Uplands

Map 2b



STOCKING DISTRIBUTION

Scale 1:48,000

500 250 0 500 1,000  
Meters

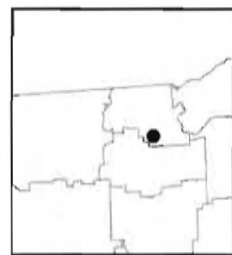
**Legend**

**Stocking**

- 0%
- 1 - 40%
- 41 - 60%
- 61 - 80%
- 81 - 99%
- 100% +

**Wetlands**

- Treed Muskeg
- Open Muskeg
- Brush/Alder
- Rock



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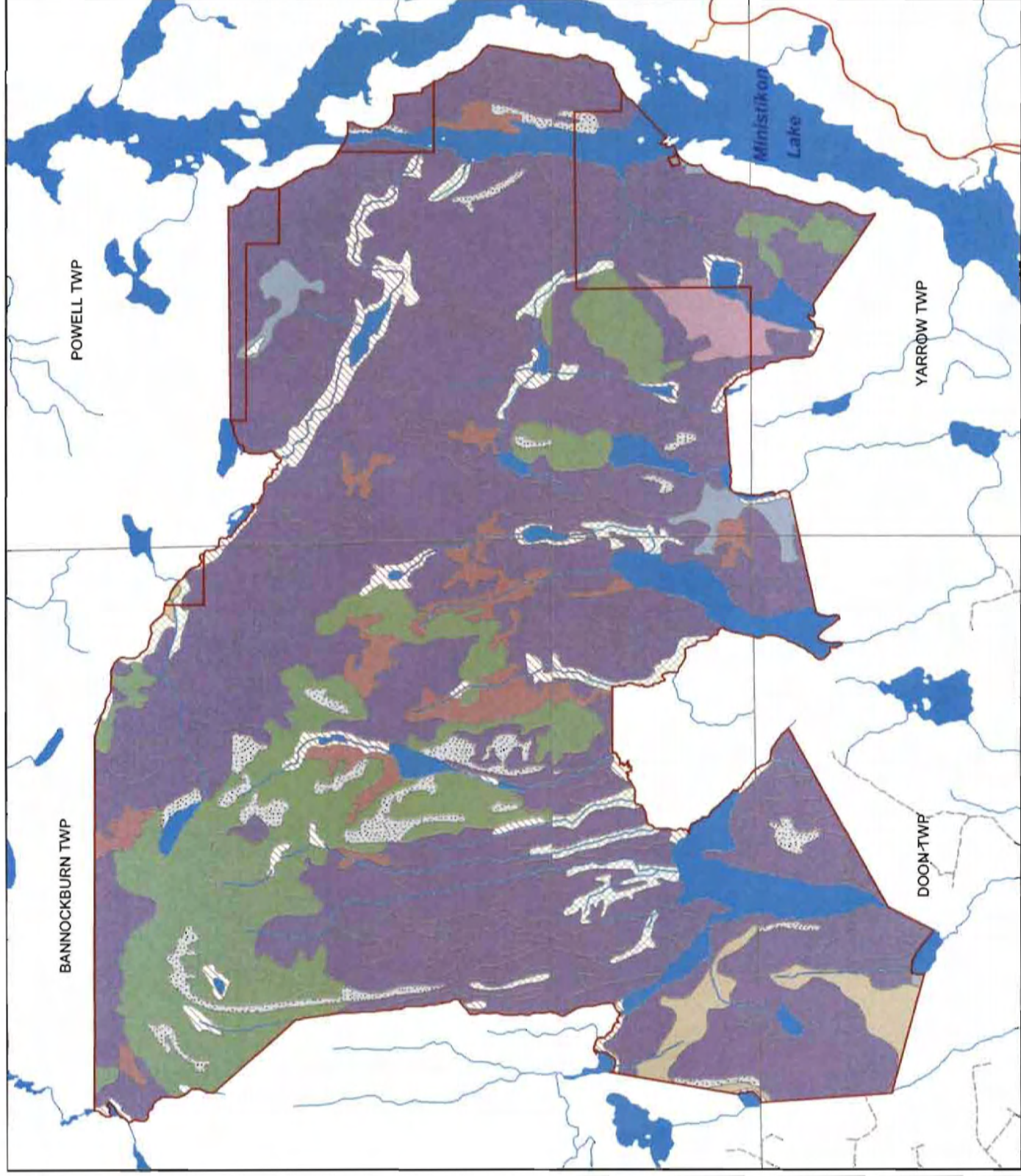
Sources: OMNR Forest Resource Inventory  
Revised OMNR Kikilung Lake District (Preliminary Update)  
Base Data OMNR NRVIS  
Projection: UTM NAD83 CNT Zone 17

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Ontario

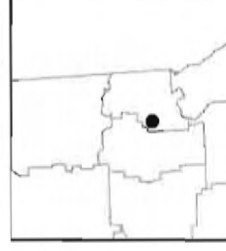
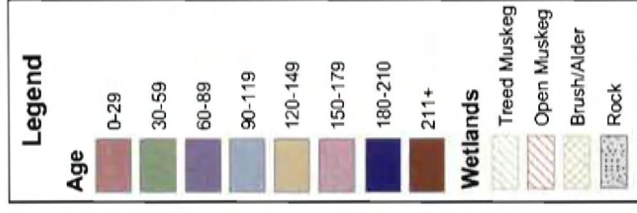
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### AGE DISTRIBUTION

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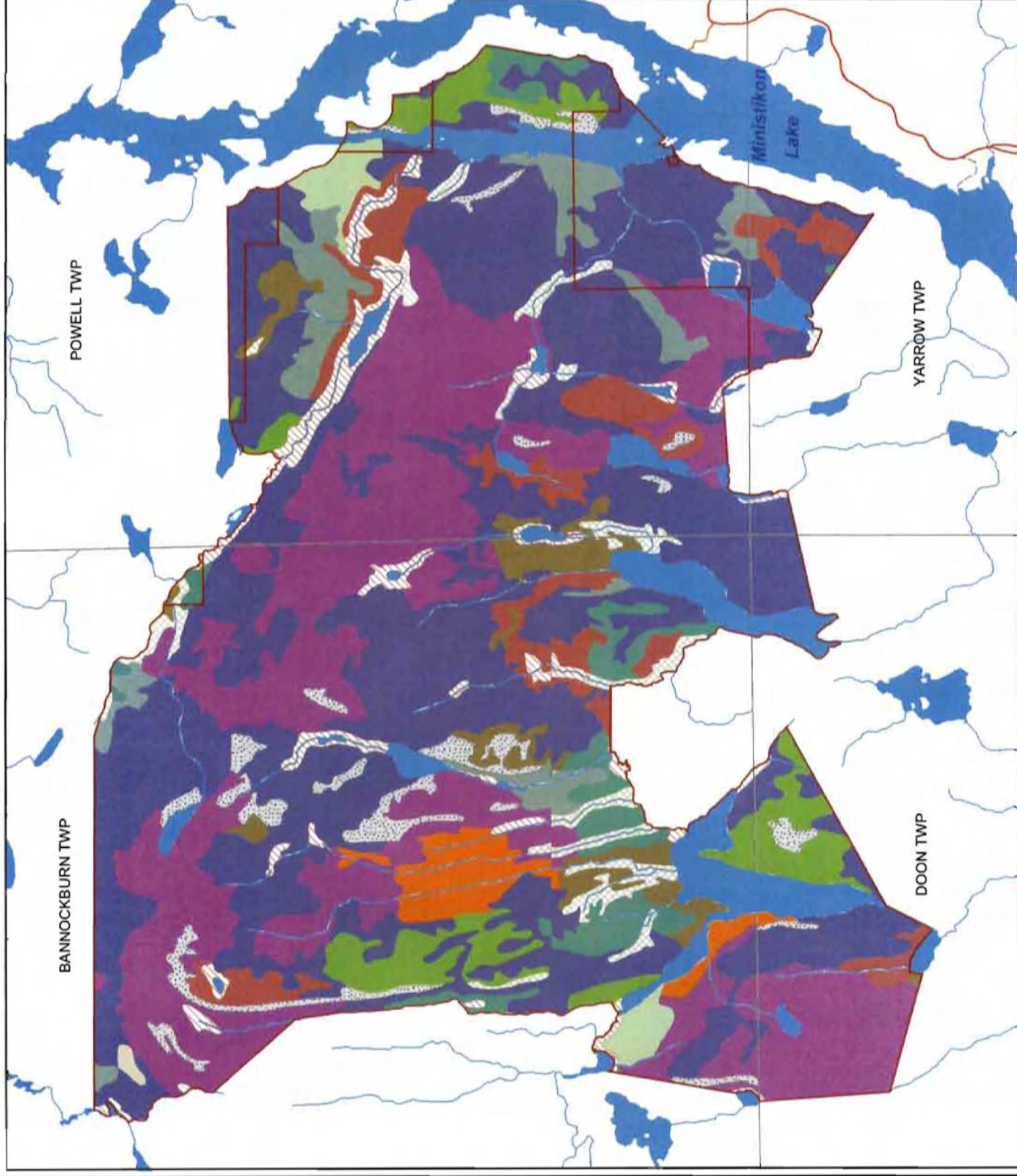
Sources:  
Species: OMNR Forest Resource Inventory  
Roads: OMNR Kirkland Lake District (Preliminary Update)  
Base Data: OMNR NR/VIS  
Projection: UTM NAD83 CNT Zone 17

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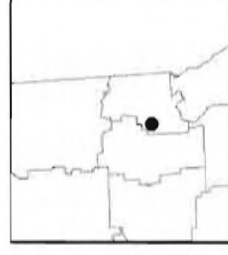
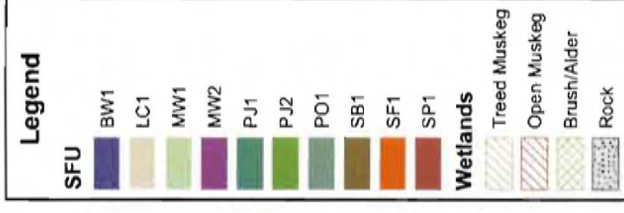
# C1600 Mistinikon Lake Uplands

Map 2d



STANDARD FOREST UNITS

Scale 1:48,000



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February 2004

Sources:  
Species: OMNR Forest Resource Inventory  
Roads: OMNR Kirkland Lake District (Preliminary Update)  
Base Data: OMNR NRVIS  
Projection: UTM NAD83 CNT Zone 17

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guide to navigation. This map was produced for  
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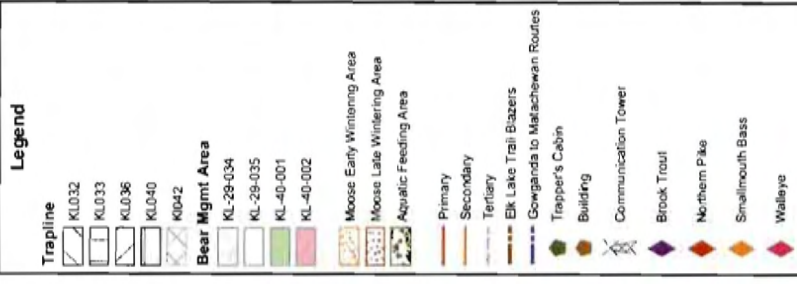


# C1600 Mistinikon Lake Uplands

Map 3a

## VALUES

Scale 1:48,000

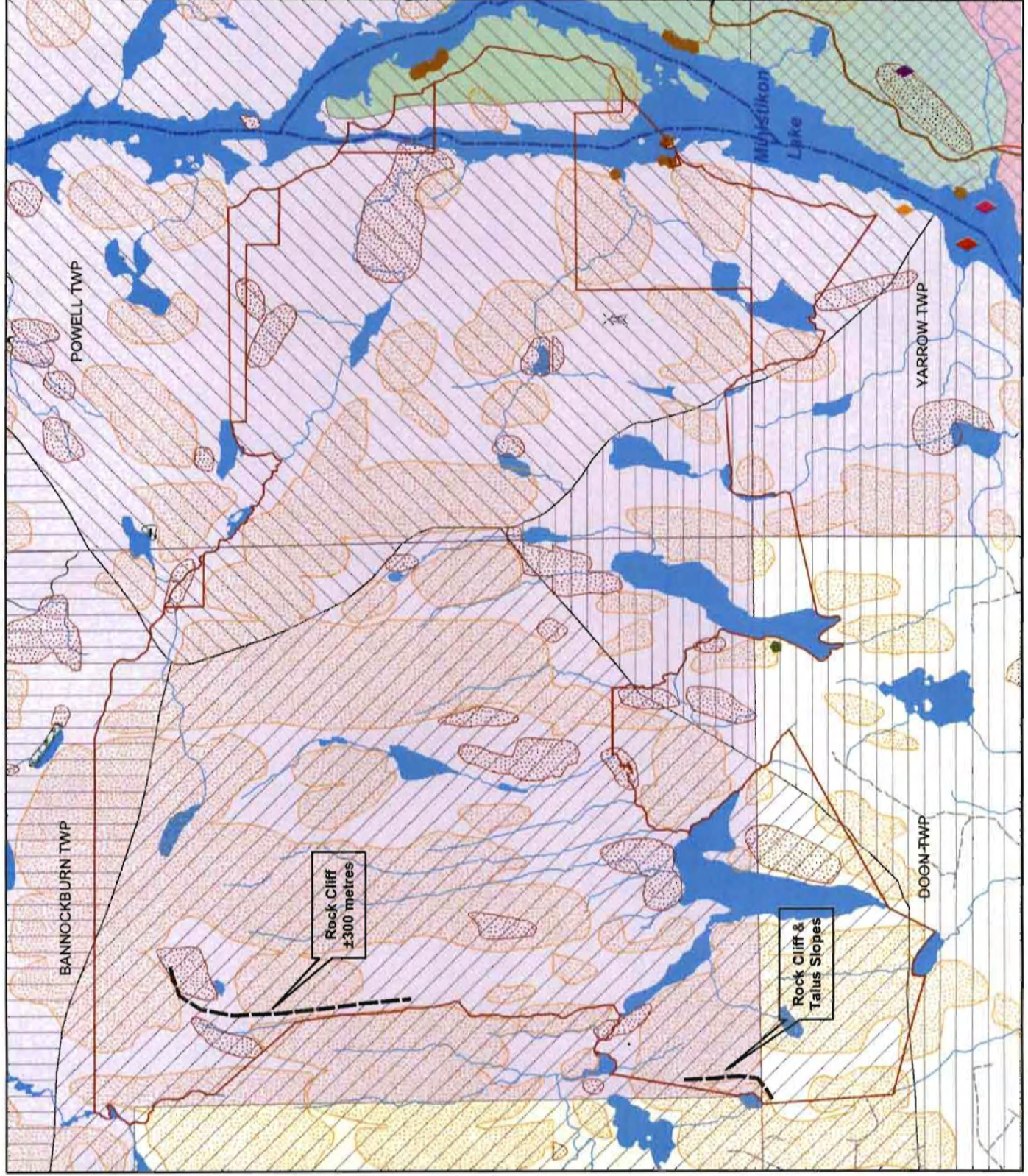


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February 2004

Sources: OMNR NRVS Values  
Base Data: OMNR NRVS  
Projection: UTM NAD83 CNT Zone 17

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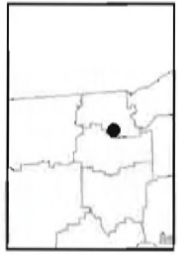
# C1600 Mistinikon Lake Uplands

Map 3b  
WETLANDS

Scale 1:48,000



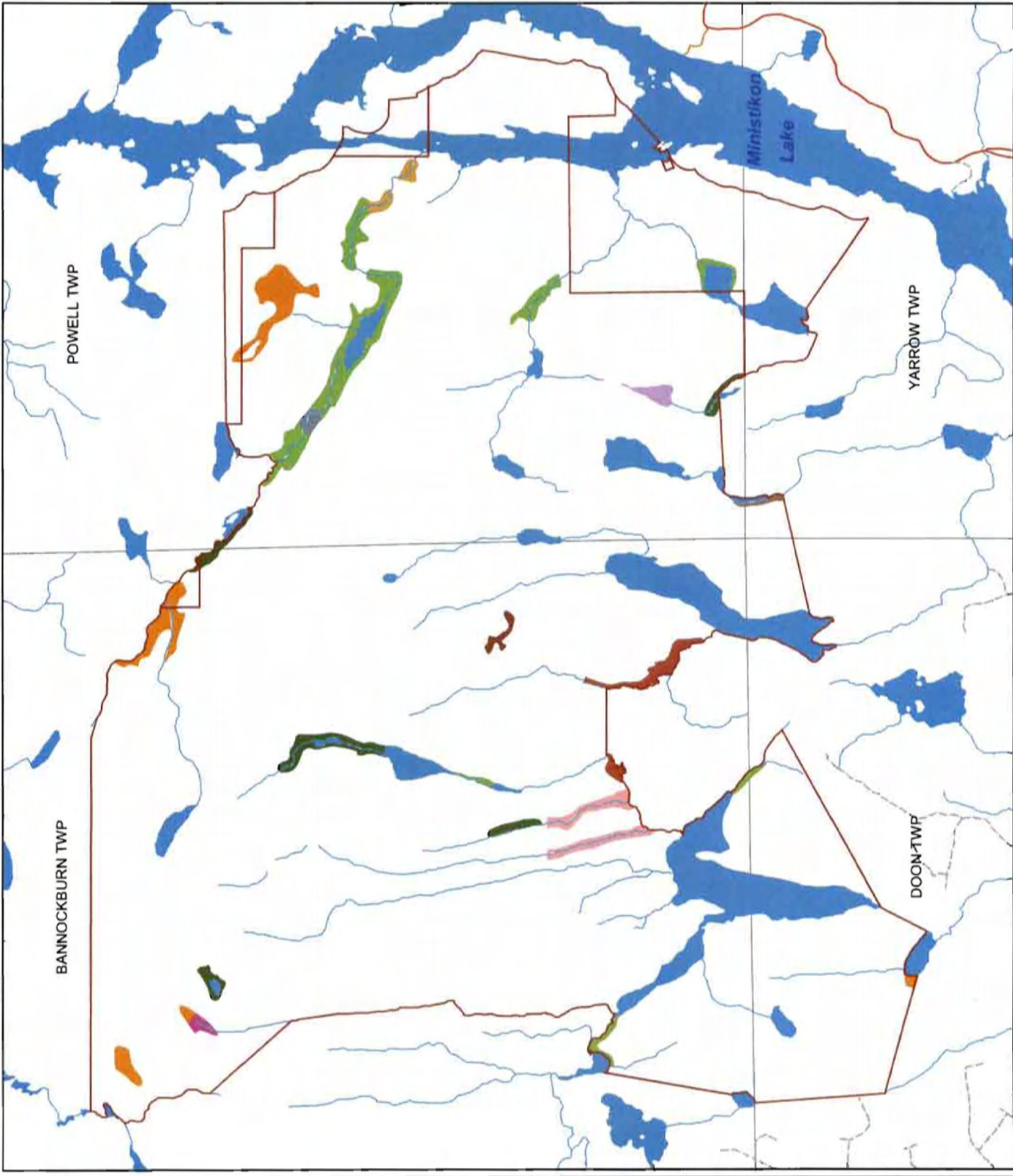
Legend	
	Alder Thicket Swamp
	Beaver Meadow
	Cattail Marsh
	Conifer Swamp
	Floating Mats
	Low Shrub Shore Fen
	Meadow Marsh
	Open Water Marsh
	Sedge Shore Fen
	Shore Fen
	Treed Bog



Map produced by the Ministry of Natural Resources,  
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P.O. Box 3020, Hwy 101 East  
South Porcupine, ON P0N 1H0  
February 2004

Sources:  
Wetlands: Jane Nicholson, OMNR 2003  
Base Data: OMNR Mistinikon Lake District (Preliminary update)  
Base Data: OMNR 1995  
Projection: UTM NAD83 CNT Zone 17

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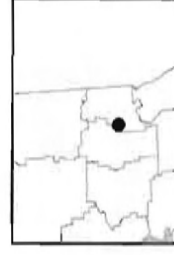
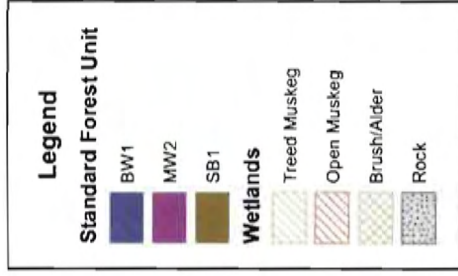


# C1600 Mistinikon Lake Uplands

Map 5

## OLD GROWTH

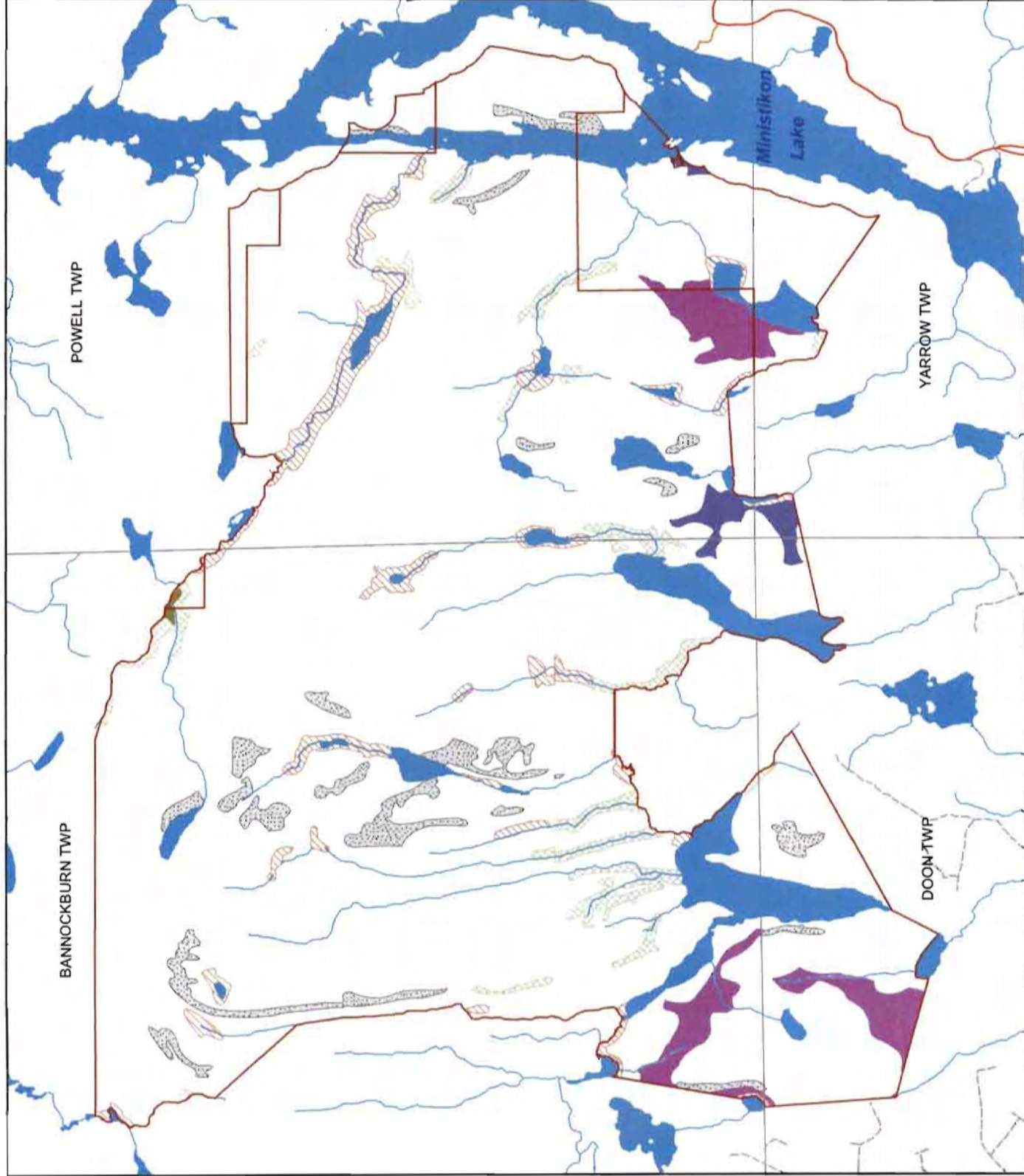
Scale 1:48,000



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February 2004

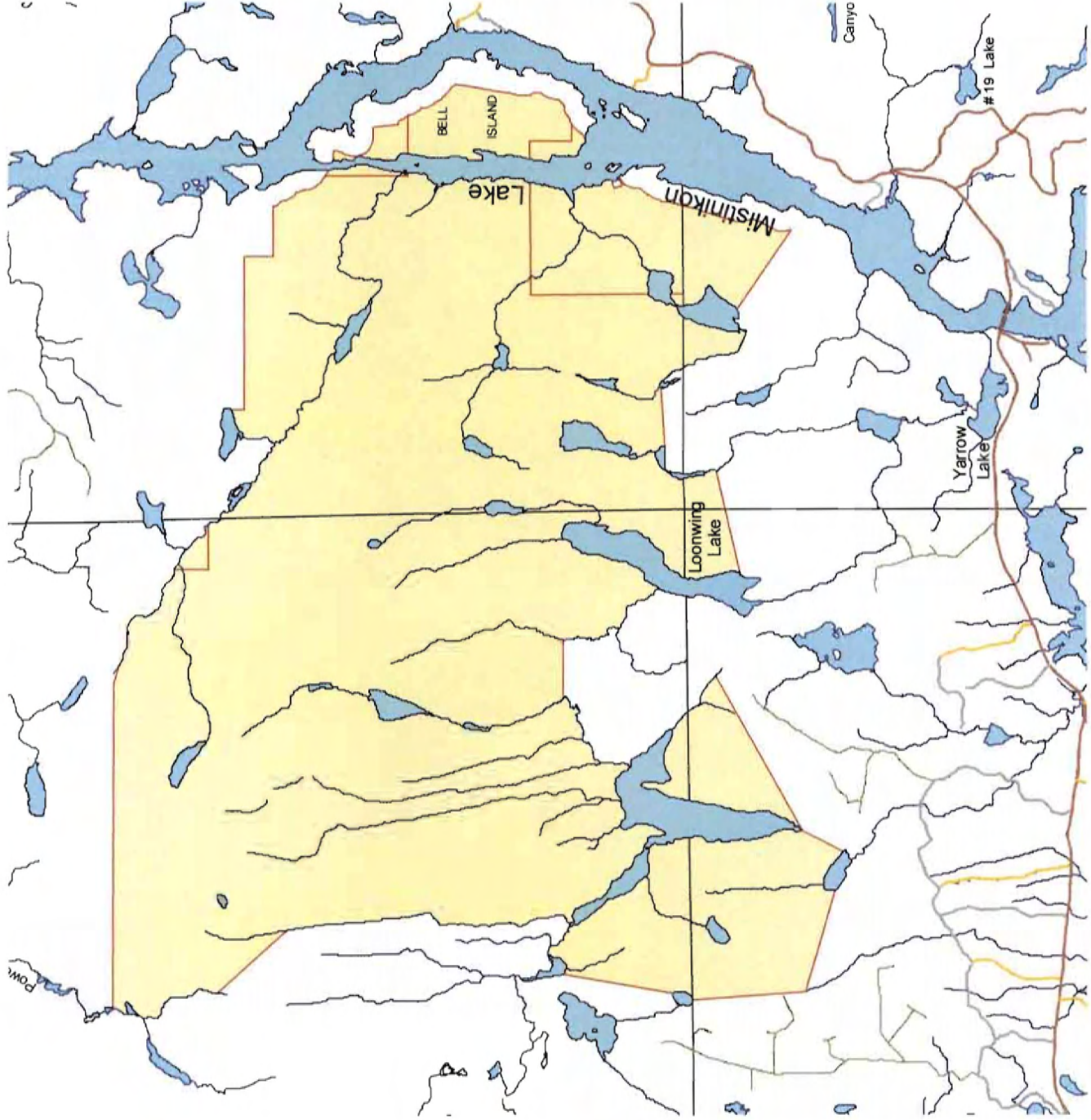
Sources:  
Species: Forest Resource Inventory  
Roads: OMNR Kirkland Lake District (Preliminary update)  
Base Data: OMNR NRVS  
Projection: UTM NAD83 CNT Zone 17

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# Map 6 - C1600 Road Access



## Legend

- Roads**
- Primary
  - Secondary
  - Tertiary
  - Logging Roads
- Waterbodies**
- Lakes
  - Wetlands
  - Rivers
- C1600 Conservation Reserve**
- C1600
  - F1600

This map is illustrative only.  
Do not rely on it as being a  
precise indicator of routes,  
locations of features, nor  
as a guide to navigation.

Designed and produced  
by: Jessica Malone  
Land Use Planning Intern,  
Ministry of Natural Resources.

Projection: UTM, NAD  
83, Meters, Zone 17



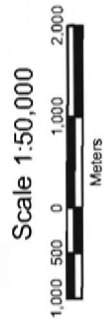
c. 2004 Queen's Printer for Ontario



Scale:  
1:75,000



## LANDFORM VEGETATION COMBINATIONS



October 2004

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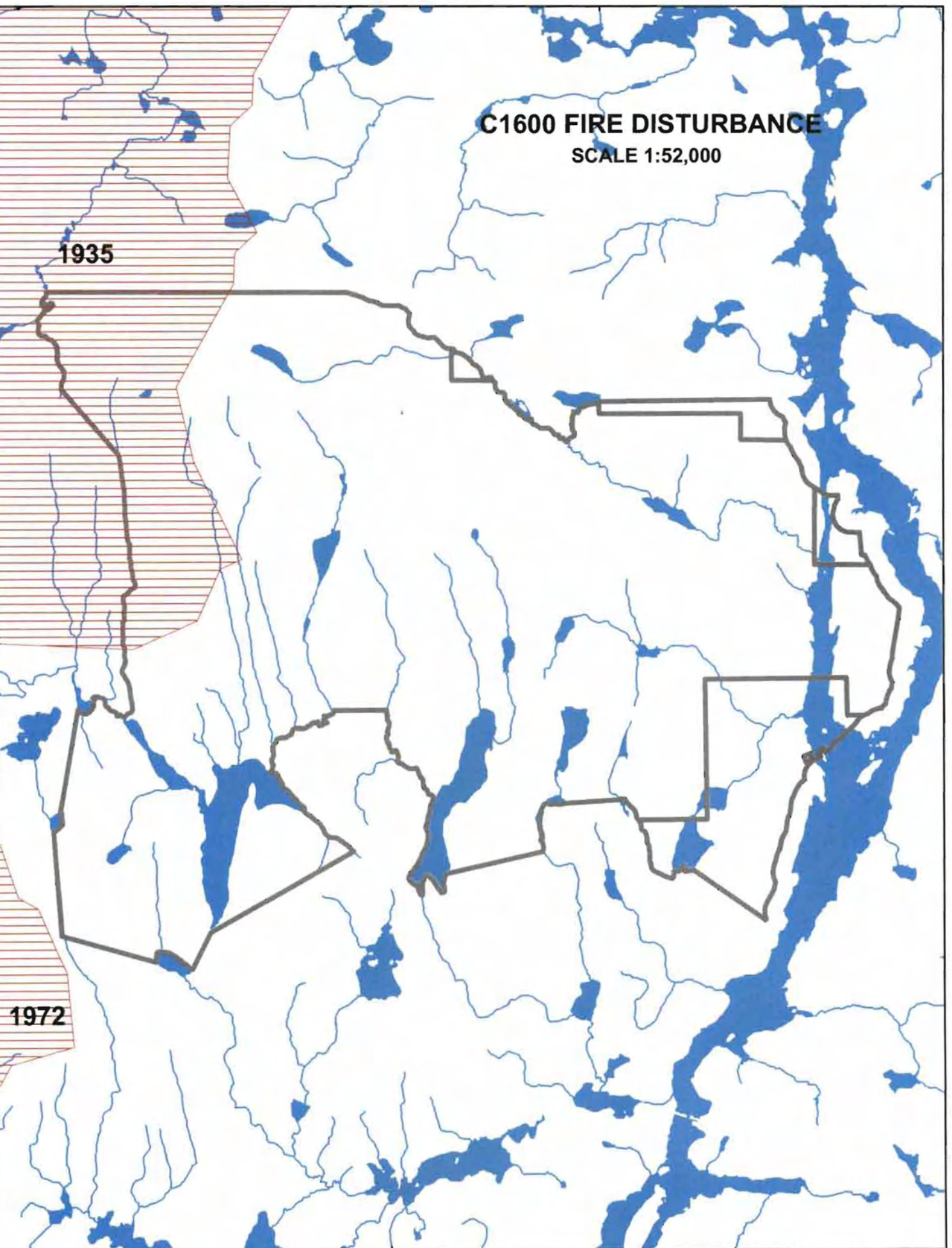


# C1600 FIRE DISTURBANCE

SCALE 1:52,000

1935

1972





# C1600 Mistinikon Lake Uplands

## HISTORY

Scale 1:48,000



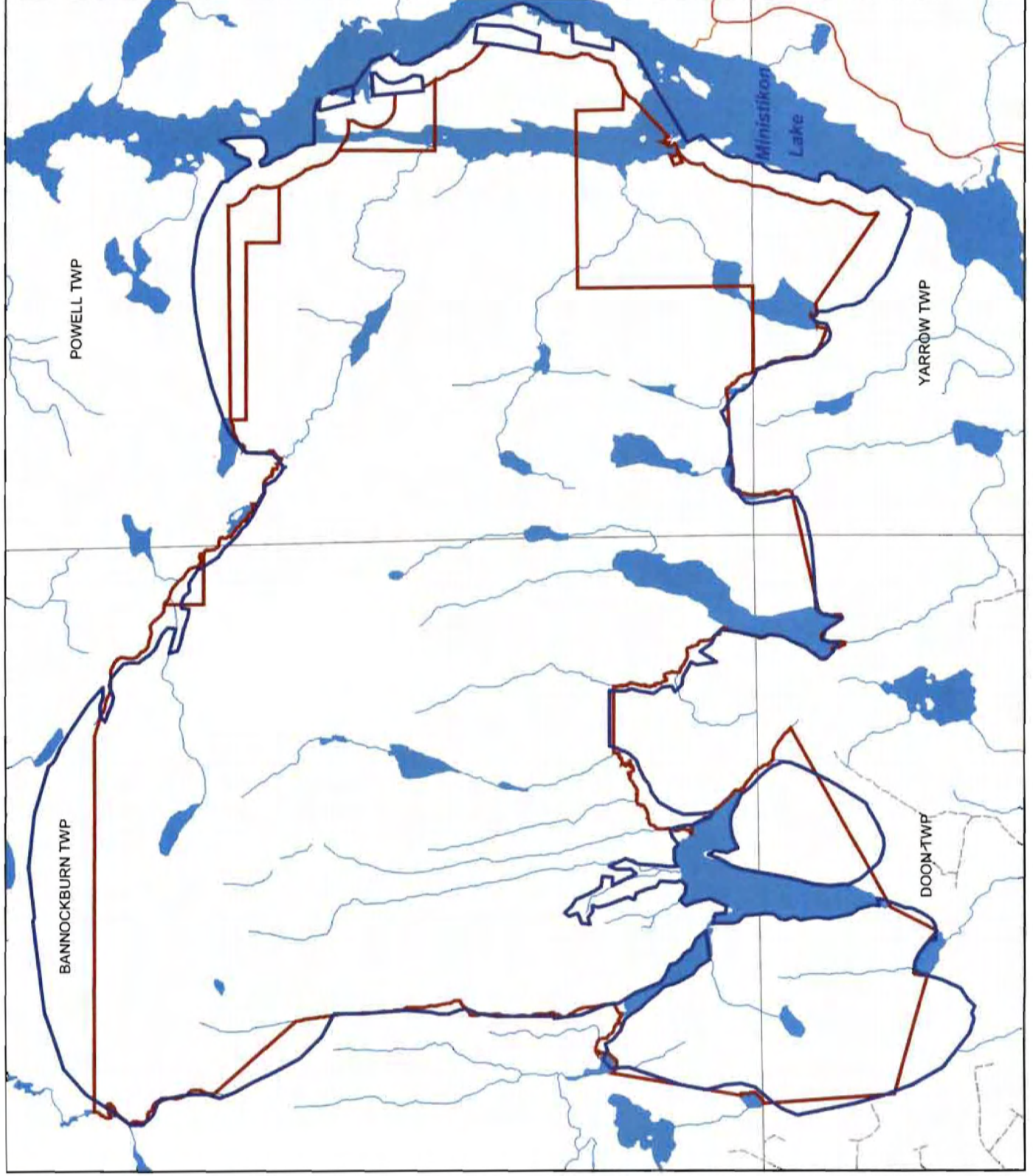
### Legend



Map produced by the Ministry of Natural Resources,  
Northeast Region Planning Unit,  
P.O. Box 2020 Hwy 101 East,  
South Porcupine, ON P0N 1H0  
February 2004

Sources:  
UTM Blue Line Boundary: OMNR NRVS  
Roads: OMNR Kirkland Lake District (Preliminary update)  
Base Data: OMNR NRVS  
Projection: UTM NAD83 CNT Zone 17

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UTM COORDINATES OF INTERSECTION POINTS	#	Estimate	Noting
P1	31	31207.7	3227.048
P2	32	31348.6	3227.011
P3	33	31489.5	3227.018
P4	34	31630.4	3227.025
P5	35	31771.3	3227.032
P6	36	31912.2	3227.039
P7	37	32053.1	3227.046
P8	38	32194.0	3227.053
P9	39	32334.9	3227.060
P10	40	32475.8	3227.067

NO TESTS

1. All locations are to be visited in ORDER: CAUTION: Turn 17
2. Points marked "a" are to be used for the purpose of publishing a boundary segment to an adjacent lot.
3. Survey measurements from the Survey General need be attached prior to establishing any of the boundaries on the ground.
4. All direction and distances shown hereon are good
5. 1" = 100 feet (approximately) This map is
6. T.M. Certified Measurements
7. S.M. Certified South Quarter Township

AREA:

ONTARIO REGULATION NO. 146/02

SCHEDULE No. 1111.

CERTIFICATE OF SURVEYOR GENERAL

1. MEMBERS CERTIFY THAT THIS PLAN HAS BEEN FILED WITH THE OFFICE OF THE SUPERVISOR GENERAL OF BANKING AS THE MINISTRY OF NATIONAL RESOURCES ON THE 18th DAY OF December 2002.

ORIGINAL SIGNED BY: J.A. MacINTOSH  
FOR: WALDMET

SURVIVAL: 12 MONTHS

---



Ministry of Agriculture and Forestry  
Republic of Turkey

Electron Imaging  
Electron Imaging  
Electron Imaging

DATE COMPLETED - NOV. 2001

2000年12月29日

University of Natural Resources  
Institute: Office of the Executive Director

Class members:

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**Appendix 9**  
**Earth Science Checksheet**

**Mistinikon Lake**  
**Conservation Reserve (C1600)**

**Approved Earth Science Checksheet**

Kirkland Lake

January 26, 2005

Prepared by: F.J. (Rik) Kristjansson

## Earth Science Inventory Checklist

**Name:** Mistinikon Lake (C1600)

**Map Name:** Matachewan

**NTS Number:** 41 P/15

**UTM Ref. (Datum):** 515531

**Latitude:** 47° 57' 10" N

**Longitude:** 80° 47' 53" W

**Elevation (Min):** 330 m asl

**Elevation (Max):** 570 m asl

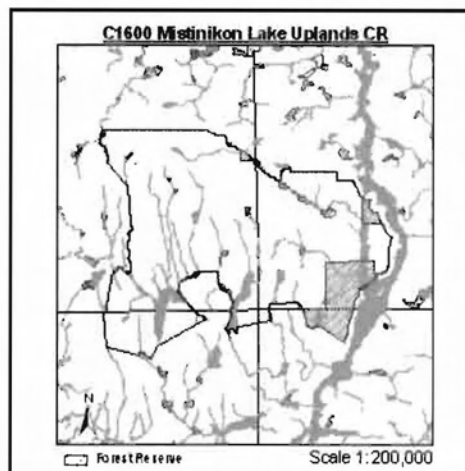
**Locality:** Timiskaming

**Township(s):** Bannockburn, Powell,  
Doon, and Yarrow

**Area (ha):** 4686 ha

**MNR District:** Kirkland Lake

**MNR Region:** Northeast



**Aerial Photographs:** 86-04, 4733, 210 to 216

86-06, 4732, 11 to 17

86-26, 4731, 106 to 112

**Prepared by:** F.J. Kristjansson, Consulting Geoscientist

**Reviewed by:** Phil Kor, Senior Conservation Geologist

**Date:** January 26, 2005

## Earth Science Features

**Bedrock Geology:** Based on Map 2543 (Ontario Geological Survey, 1991) and Map P.159 (Savage et al., 1962), the Mistinikon Lake Conservation Reserve is almost entirely underlain by undifferentiated sedimentary rocks of the Gowganda Formation, Cobalt Group, Huronian Supergroup, Southern Province, Precambrian Shield. In addition, several minor areas, located in the extreme north central and northeast parts of the conservation reserve, are underlain by undifferentiated igneous rocks of the Abitibi Subprovince, Superior Province, Precambrian Shield.

**Surficial Geology:** Based on a brief helicopter reconnaissance survey, review of terrain geological mapping (Roed and Hallett, 1979, Data Base Map 5020), and interpretation of available aerial photography, the Mistinikon Lake Conservation Reserve is immediately underlain by areas of Bedrock Outcrop (Unit 1), Bedrock-Drift Complex (Units 2a and 2), Till Deposits (Units 3,2a and 3e,2a), and Organic Deposits (Unit 9). Please refer to

the attached preliminary surficial geological mapping for the occurrence and distribution of these surficial geological units within the conservation reserve (Appendix A).

Bedrock terrain, essentially a complex of bedrock-controlled uplands and adjacent lowlands, dominates the surficial geology of the conservation reserve (Photo. C1600-01). With reference to the morphology of the bedrock surface, bedrock knob (or knoll) forms are most characteristic, although bedrock ridge forms are dominant in the extreme west part of the conservation reserve. A well-developed, bedrock escarpment, which trends approximately north-south, is also located in the extreme west part of the conservation reserve (Photo. C1600-02, and Photo. C1600-03). The escarpment feature occurs discontinuously in the immediate vicinity of, or a short distance from, the west boundary of the conservation reserve, and is depicted on the attached preliminary surficial geological map with the scarp symbol. Talus deposits were observed at the base of the escarpment feature (Photo. C1600-03).

With the exception of two areas of Bedrock Outcrop (Unit 1) in the central part of the west half of the conservation reserve, bedrock terrain within the conservation reserve, that is, the mainland and Bell Island parts of the conservation reserve, is classified as Bedrock-Drift Complex (Units 2a). Major bedrock exposure (>75% is estimated) and thin, discontinuous drift is expected in areas of bedrock outcrop. Moderate (to minor) bedrock exposure associated with a thin, discontinuous (to thin, but relatively continuous) cover of drift is generally anticipated within areas of bedrock-drift complex. It is considered very likely that the associated drift cover consists of till deposits.

The extreme east part of the conservation reserve has encompassed a portion of Mistinikon Lake, situated between the mainland and Bell Island. This open water portion of the conservation reserve contains a number of islands. One of the islands is classified as Bedrock Outcrop (Unit 1), and is thought to be mostly bare bedrock. The remaining islands are mapped as Bedrock-Drift Complex (Unit 2), and the associated sediment cover probably consists of thin, discontinuous deposits of till and/or stratified sediment (e.g., glaciolacustrine deposits).

The conservation reserve also contains a number of areas immediately underlain by Till Deposits (Units 3,2a and 3e,2a). As a general statement, these deposits are associated with the lower elevation areas in the central and south parts of the conservation reserve. The till deposits located in the extreme southwest part of the conservation reserve appear to be part of a drumlinized till plain, and, as such, were classified as Unit 3e,2a. As indicated by the compound map unit designations (i.e., Units 3,2a and 3e,2a), subordinate, but difficult to delineate, areas of bedrock-drift complex, in this case, bedrock-till complex, may also be present.

Finally, various minor areas immediately underlain by Organic Deposits (Unit 9) are present within the conservation reserve.

**Significance:** The geological features described above are commonly encountered within the surrounding region, and are considered to be of local significance.

**Sensitivity:** Considering the relatively passive land uses anticipated within a conservation reserve (e.g., hunting), the various geological features are considered to have low sensitivity.

**Recommendations:** None

**References:**

Ontario Geological Survey, 1991; Bedrock Geology of Ontario, East-Central Sheet; Ontario Geological Survey, Map 2543, Scale 1:1,000,000.

Roed, M.A., and Hallett, D.R., 1979; Northern Ontario Engineering Geology Terrain Study, Data Base Map, Elk Lake; Ontario Geological Survey, Map 5020, Scale 1:100,000.

Savage, W.S., Thomson, R., and Fenwick, K.G., 1962; Bedrock Geology, Elk Lake-New Liskeard Sheet, District of Timiskaming; Ontario Department of Mines, Compilation Series, Preliminary Geological Map No. P.159, Scale 1 inch to 2 miles.

**Appendices:**

Appendix A                      Preliminary Surficial Geology of the Mistinikon Lake Conservation Reserve (C1600).

**Photographs:**

Photo. C1600-01

Provides a general view approximately north into the south central part of the conservation reserve. Bedrock terrain, essentially a complex of bedrock-controlled uplands and adjacent lowlands, dominates the surficial geology of the conservation reserve.



Photo. C1600-02

Provides a general view approximately ESE into the northwest part of the conservation reserve. Note the bedrock escarpment in the upper central and upper right parts of the photograph. The crest area of a second escarpment feature, also located in the conservation reserve, is evident in the lower left part of the photograph.





Photo. C1600-03

Provides a general view approximately ENE into the southwest part of the conservation reserve. Note the bedrock escarpment in the upper left, central, and central right parts of the photograph. Also, note the talus deposits, which have accumulated at the base of the escarpment feature.

## APPENDIX A

Preliminary Surficial Geology of the Mistinikon Lake Conservation Reserve (C1600).

## **Appendix 10**

### **James Bay Treaty – Treaty #9**

(taken from Indian and Northern Affairs Canada website  
[http://www.ainc-inac.gc.ca/pr/trts/trty9\\_e.html](http://www.ainc-inac.gc.ca/pr/trts/trty9_e.html))

**THE JAMES BAY TREATY**  
**TREATY No. 9**  
**(MADE IN 1905 AND 1906)**  
**AND**  
**ADHESIONS MADE IN 1929 AND 1930**

**LAYOUT IS NOT EXACTLY LIKE ORIGINAL  
TRANSCRIBED FROM:**

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**JAMES BAY TREATY**  
**Treaty No. 9**

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OTTAWA, November 6, 1905.

The Honourable  
Superintendent General of Indian Affairs,  
Ottawa.

SIR, --- Since the treaties known as the Robinson Treaties were signed in the autumn of the year 1850, no cession of the Indian title to lands lying within the defined limits of the province of Ontario had been obtained. By these treaties the Ojibeway Indians gave up their right and title to a large tract of country lying between the height of land and Lakes Huron and Superior. In 1873, by the Northwest Angle Treaty (Treaty No. 3), the Saulteaux Indians ceded a large tract east of Manitoba, part of which now falls within the boundaries of the province of Ontario. The first-mentioned treaty was made by the old province of Canada, the second by the Dominion.

Increasing settlement, activity in mining and railway construction in that large section of the province of Ontario north of the height of land and south of the Albany river rendered it advisable to extinguish the Indian title. The undersigned were, therefore, appointed by Order of His Excellency in Council on June 29, 1905, as commissioners to negotiate a treaty with the Indians inhabiting the unceded tract. This comprised about 90,000 square miles of the provincial lands drained by the Albany and Moose river systems.

When the question first came to be discussed, it was seen that it would be difficult to separate the Indians who came from their hunting grounds on both sides of the Albany river to trade at the posts of the Hudson's Bay Company, and to treat only with that portion which came from the southern or Ontario side. As the cession of the Indian title in that portion of the Northwest Territories which lies to the north of the Albany river would have to be consummated at no very distant date, it was thought advisable to make the negotiations with Indians whose hunting grounds were in Ontario serve as the occasion for dealing upon the same terms with all the Indians trading at Albany river posts, and to add to the community of interest which for trade purposes exists amongst these Indians a like responsibility for treaty obligations. We were, therefore, given power by Order of His Excellency in Council of July 6, 1905, to admit to treaty any Indian whose hunting grounds cover portions of the Northwest Territories lying between the Albany river, the district of Keewatin and Hudson bay, and to set aside reserves in that territory.

In one essential particular the constitution of the commission to negotiate this treaty differed from that of others which undertook similar service in the past. One member \* was nominated by the province of Ontario under the provisions of clause 6 of the Statute of Canada, 54-55 Vic., chap. V., which reads: "That any future treaties with the Indians in respect of territory in Ontario to which they have not before the passing of the said Statutes surrendered their claim aforesaid shall be deemed to require the concurrence of the government of Ontario." The concurrence of the government of Ontario carried with it the stipulation that one member of the commission should be nominated by and represent Ontario.

It is important also to note that under the provisions of clause 6 just quoted, the terms of the treaty were fixed by the governments of the Dominion and Ontario; the commissioners were empowered to offer certain conditions, but were not allowed to alter or add to them in the event of their not being acceptable to the Indians.

After the preliminary arrangements were completed, the commissioners left Ottawa for Dinorwic, the point of departure for Osnaburg, on June 30, and arrived there on July 2.

The party consisted of the undersigned, A. G. Meindl, Esq., M.D., who had been appointed to carry out the necessary work of medical relief and supervision, and James Parkinson and J. L. Vanasse, constables of the Dominion police force. At Dinorwic the party was met by T. C. Rae, Esq., chief trader of the Hudson's Bay Company, who had been detailed by the commissioner of the Hudson's Bay Company to travel with the party and make arrangements for transportation and maintenance en route. Mr. Rae had obtained a competent crew at Dinorwic to take the party to Osnaburg. The head man was James Swain, an old Albany river guide and mail-carrier, who is thoroughly familiar with the many difficult rapids of this river.

The party left Dinorwic on the morning of July 3, and after crossing a long portage of nine miles, first put the canoes into the water at Big Sandy Lake. On July 5 we passed Frenchman's Head reservation, and James Bunting, councillor in charge of the band, volunteered the assistance of a dozen of his stalwart men to help us over the difficult Ishkaqua portage, which was of great assistance, as we were then carrying a great weight of supplies and baggage. On the evening of the 5th, the waters of Lac Seul were reached, and on the morning of the 6th the party arrived at Lac Seul post of the Hudson's Bay Company. Here the commission met with marked hospitality from Mr. J. D. McKenzie, in charge of the post, who rendered every assistance in his power. He interpreted whenever necessary, for which task he was eminently fitted by reason of his perfect knowledge of the Ojibeway language.

The hunting grounds of the Indians who traded at this post had long ago been surrendered by Treaty No. 3, but it was thought advisable to call at this point to ascertain whether any non-treaty Indians had assembled there from points beyond Treaty No. 3, but adjacent to it. Only one family, from Albany river, was met with. The case was fully investigated and the family was afterwards attached to the new treaty.

The afternoon of the 6th was spent in a visit to the Lac Seul reserve in an attempt to discourage the dances and medicine feasts which were being held upon the reserve. The Indians of this band were well dressed, and for the most part seemed to live in a state of reasonable comfort. Their hunting grounds are productive.

The party left Lac Seul on the morning of July 7, en route for Osnaburg passing through Lac Seul, and reached the height of land, via Root river, on July 10. Thence by the waters of Lake St. Joseph, Osnaburg was reached on the 11th.

This was the first point at which treaty was to be made, and we found the Indians assembled in force, very few being absent of all those who traded at the post. Those who were absent had been to the post for their usual supplies earlier in the summer, and had gone back to their own territory in the vicinity of Cat lake.

Owing to the water connection with Lac Seul, these Indians were familiar with the provisions of Treaty No. 3, and it was feared that more difficulty might be met with at that point than almost any other, on account of the terms which the commissioners were empowered to offer not being quite so favourable as those of the older treaty.

The annuity in Treaty No. 3 is \$5 per head, and only \$4 was to be offered in this present instance. The proposed treaty did not provide for an issue of implements, cattle, ammunition or seed-grain.

As there was, therefore, some uncertainty as to the result, the commissioners requested the Indians to select from their number a group of representative men to whom the treaty might be explained. Shortly after, those nominated presented themselves and the terms of the treaty were interpreted. They were then told that it was the desire of the commissioners that any point on which they required further explanations should be freely discussed, and any questions asked which they desired to have answered.

Missabay, the recognized chief of the band, then spoke, expressing the fears of the Indians that, if they signed the treaty, they would be compelled to reside upon the reserve to be set apart for them, and would be deprived of the fishing and hunting privileges which they now enjoy.

On being informed that their fears in regard to both these matters were groundless, as their present manner of making their livelihood would in no way be interfered with, the Indians talked the matter over among themselves, and then asked to be given till the following day to prepare their reply. This request was at once acceded to and the meeting adjourned.

The next morning the Indians signified their readiness to give their reply to the commissioners, and the meeting being again convened, the chief spoke, stating that full consideration had been given the request made to them to enter into treaty with His Majesty, and they were prepared to sign, as they believed that nothing but good was intended. The money they would receive would be of great benefit to them, and the Indians were all very thankful for the advantages they would receive from the treaty.

The other representatives having signified that they were of the same mind as Missabay, the treaty was then signed and witnessed with all due formality, and payment of the gratuity was at once proceeded with.

The election of chiefs also took place, the band being entitled to one chief and two councillors. The following were elected: Missabay, John Skunk and George Wawaashkung.

After this, the feast which usually accompanies such formalities was given the Indians. Then followed the presentation of a flag, one of the provisions of the treaty; this was to be held by the chief for the time being as an emblem of his authority. Before the feast began, the flag was presented to Missabay the newly elected chief, with words of advice suitable for the occasion. Missabay received it and made an eloquent speech, in which he extolled the manner in which the Indians had been treated by the government; advised the young men to listen well to what the white men had to say, and to follow their advice and not to exalt their own opinions above those of men who knew the world and had brought them such benefits. Missabay, who is blind, has great control over his band, and he is disposed to use his influence in the best interests of the Indians.

At Osnaburg the civilizing work of the Church Missionary Society was noticeable. A commodious church was one of the most conspicuous buildings at the post and the Indians held service in it every evening. This post was in charge of Mr. Jabez Williams, who rendered great service to the party by interpreting whenever necessary. He also gave up his residence for the use of the party.

On the morning of July 13 the question of the location of the reserves was gone fully into, and the Indians showed great acuteness in describing the location of the land they desired to have reserved for them. Their final choice is shown in the schedule of reserves which is annexed to this report.

We left Osnaburg on the morning of July 13, and entered the Albany river, which drains Lake St. Joseph, and, after passing many rapids and magnificent lake stretches of this fine river, we reached Fort Hope at 5 o'clock on the afternoon of the 18th. This important post of the Hudson's Bay Company is situated on the shore of Lake Eabamet, and is the meeting point of a large number of Indians, certainly 700, who have their hunting grounds on both sides of the Albany and as far as the headwaters of the Winisk river. The post was in charge of Mr. C. H. M. Gordon.

The same course of procedure was followed as at Osnaburg. The Indians were requested to select representatives to whom the business of the commission might be explained, and on the morning of the 19th the commissioners met a number of representative Indians in the Hudson's Bay Company's house. Here the commissioners had the benefit of the assistance of Rev. Father F. X. Fafard, of the Roman Catholic Mission at Albany, whose thorough knowledge of the Cree and Ojibeway tongues was of great assistance during the discussion.

A more general conversation in explanation of the terms of the treaty followed than had occurred at Osnaburg. Moonias, one of the most influential chiefs, asked a number of questions. He said that ever since he was able to earn anything, and that was from the time he was very young, he had never been given something for nothing; that he always had to pay for everything that he got, even if it was only a paper of pins. "Now," he said "you gentlemen come to us from the King offering to give us benefits for which we can make no return. How is this?" Father Fafard thereupon explained to him the nature of the treaty, and that by it the Indians were giving their faith and allegiance to the King, and for



giving up their title to a large area of land of which they could make no use, they received benefits that served to balance anything that they were giving.

"Yesno," who received his name from his imperfect knowledge of the English language, which consisted altogether in the use of the words "yes" and "no," made an excited speech, in which he told the Indians that they were to receive cattle and implements, seed-grain and tools. Yesno had evidently travelled, and had gathered an erroneous and exaggerated idea of what the government was doing for Indians in other parts of the country, but, as the undersigned wished to guard carefully against any misconception or against making any promises which were not written in the treaty itself, it was explained that none of these issues were to be made, as the band could not hope to depend upon agriculture as a means of subsistence; that hunting and fishing, in which occupations they were not to be interfered with, should for very many years prove lucrative sources of revenue. The Indians were informed that by signing the treaty they pledged themselves not to interfere with white men who might come into the country surveying, prospecting, hunting, or in other occupations; that they must respect the laws of the land in every particular, and that their reserves were set apart for them in order that they might have a tract in which they could not be molested, and where no white man would have any claims without the consent of their tribe and of the government.

After this very full discussion, the treaty was signed, and payment was commenced. The payment was finished on the next day, and the Indian feast took place, at which the chiefs elected were Katchange, Yesno, Joe Goodwin, Benj. Ooskinigisk, and George Quisees. The newly elected chiefs made short speeches, expressing their gladness at the conclusion of the treaty and their determination to be true to its terms and stipulations.

It is considered worthy of record to remark on the vigorous and manly qualities displayed by these Indians throughout the negotiations. Although undoubtedly at times they suffer from lack of food owing to the circumstances under which they live, yet they appeared contented, and enjoy a certain degree of comfort. Two active missions are established at Fort Hope, the Anglican, under the charge of Rev. Mr. Richards, who is resident, and the Roman Catholic, under the charge of Rev. Father Fafard, who visits from the mission at Albany.

Fort Hope was left on the morning of July 21, and after passing through Lake Eabamet the Albany was reached again, and after three days' travel we arrived at Marten Falls at 7.35 on the morning of Tuesday, July 25.

This is an important post of the Hudson's Bay Company, in charge of Mr. Samuel Iserhoff. A number of Indians were awaiting the arrival of the commission. The first glance at the Indians served to convince that they were not equal in physical development to those at Osnaburg or Fort Hope, and the comparative poverty of their hunting grounds may account for this fact.

The necessary business at this post was transacted on the 25th. The treaty, after due explanation, was signed and the payment made immediately. Shortly before the feast the

Indians elected their chief, Wm. Whitehead, and two councillors, Wm. Coaster and Long Tom Ostamas.

At the feast Chief Whitehead made an excellent speech, in which he described the benefits that would follow the treaty and his gratitude to the King and the government for extending a helping and protecting hand to the Indians.

The reserve was fixed at a point opposite the post and is described fully in the schedule of reserves.

The commodious Roman Catholic church situated on the high bank of the river overlooking the Hudson's Bay Company's buildings was the most conspicuous object at this post.

Marten Falls was left on the morning of Wednesday, July 26. Below this point the Albany flows towards James Bay without any impediment of rapids or falls, but with a swift current, which is a considerable aid to canoe travel.

The mouth of the Kenogami river was reached at 2.45 on the afternoon of July 27. This river flows in with a large volume of water and a strong current. It took two days of heavy paddling and difficult tracking to reach the English River post, which is situated about 60 miles from the mouth of the river and near the Forks. We found many of the Indians encamped along the river, and they followed us in their canoes to the post, where we arrived on the afternoon of July 29.

This is a desolate post of the Hudson's Bay Company, in charge of Mr. G. B. Cooper. There are very few Indians in attendance at any time; about half of them were assembled, the rest having gone to "The Line," as the Canadian Pacific railway is called, to trade.

Compared with the number at Fort Hope or Osnaburg, there was a mere handful at English River, and it did not take long to explain to the Indians the reason why the commission was visiting them. As these people cannot be considered a separate band, but a branch of the Albany band, it was not thought necessary to have them sign the treaty, and they were merely admitted as an offshoot of the larger and more important band.

The terms of the treaty having been fully explained, the Indians stated that they were willing to come under its provisions, and they were informed that by the acceptance of the gratuity they would be held to have entered treaty, a statement which they fully realized. As the morrow was Sunday, and as it was important to proceed without delay, they were paid at once.

We left the English River post early on Monday morning, and reached the mouth of the river at 6 p.m. Coming again into the Albany, we met a number of Marten Falls Indians who had not been paid, and who had been camped at the mouth of the river, expecting the commission. After being paid, they camped on the shore near us, and next morning proceeded on their way to Marten Falls, with their York boats laden with goods from Fort

Albany. The next day a party of Albany Indians were paid at the mouth of Cheepy river, and the post itself was reached on the morning of August 3, at 9.30. Here the commissioners had the advantage of receiving much assistance from Mr. G. W. Cockram, who was just leaving the post on his way to England, and Mr. A. W. Patterson, who had just taken charge in his stead.

In the afternoon the chief men selected by the Indians were convened in a large room in the Hudson's Bay Company's store, and an interesting and satisfactory conversation followed. The explanations that had been given at the other points were repeated here, and two of the Indians, Arthur Wesley and Wm. Goodwin, spoke at some length, expressing on their own behalf and on behalf of their comrades the pleasure they felt upon being brought into the treaty and the satisfaction they experienced on receiving such generous treatment from the Crown. Some of the Indians were away at their hunting grounds at Attawapiskat river, and it was thought advisable to postpone the election of chiefs until next year. The Indians were paid on August 4 and 5.

During the afternoon the Hudson's Bay Company's steamer *Innenew* arrived, with the Right Rev. George Holmes, the Anglican Bishop of Moosonee, on board.

On Saturday the Indians feasted and presented the commissioners with an address written in Cree syllabic, of which the following is a translation:

"From our hearts we thank thee, O Great Chief, as thou hast pitied us and given us temporal help. We are very poor and weak. He (the Great Chief) has taken us over, here in our own country, through you (his servants).

"Therefore from our hearts we thank thee, very much, and pray for thee to Our Father in heaven. Thou hast helped us in our poverty.

"Every day we pray, trusting that we may be saved through a righteous life; and for thee we shall ever pray that thou mayest be strong in God's strength and by His assistance." And we trust that it may ever be with us as it is now; we and our children will in the church of God now and ever thank Jesus.

"Again we thank you (commissioners) from our hearts."

Fort Albany is an important post of the Hudson's Bay Company, and here there are two flourishing missions, one of the Roman Catholic and one of the Church of England. Father Fafard has established a large boarding school, which accommodates 20 Indian pupils in charge of the Grey Nuns from the parent house at Ottawa. Here assistance is given to sick Indians in the hospital ward, and a certain number of aged people who cannot travel with their relatives are supported each winter. The church and presbytery are commodious and well built, and the whole mission has an air of prosperity and comfort. The celebration of mass was well attended on Sunday. The Church of England mission is also in a flourishing condition. The large church was well filled for all Sunday

services conducted by Bishop Holmes, and the Indians took an intelligent part in the services.

We left Albany on the morning of Monday, August 7, in a sail-boat chartered from the Hudson's Bay Company, and, the wind being strong and fair, we anchored off the mouth of Moose river at 7 o'clock the same evening. Weighing anchor at daylight on Tuesday morning, we drifted with the tide, and a light, fitful wind and reached Moose Factory at 10.30. We had been accompanied on the journey by Bishop Holmes, who immediately upon landing interested himself with Mr. J. G. Mowat, in charge of this important post of the Hudson's Bay Company, to secure a meeting of representatives Indians on the morrow.

On the morning of the 9th a meeting was held in a large room placed at our disposal by the Hudson's Bay Company. The Indians who had been chosen to confer with us seemed remarkably intelligent and deeply interested in the subject to be discussed. When the points of the treaty were explained to them, they expressed their perfect willingness to accede to the terms and conditions. Frederick Mark, who in the afternoon was elected chief, said the Indians were all delighted that a treaty was about to be made with them; they had been looking forward to it for a long time, and were glad that they were to have their hopes realized and that there was now a prospect of law and order being established among them. John Dick remarked that one great advantage the Indians hoped to derive from the treaty was the establishment of schools wherein their children might receive an education. George Teppaise said they were thankful that the King had remembered them, and that the Indians were to receive money, which was very much needed by many who were poor and sick. Suitable responses were made to these gratifying speeches by ourselves and Bishop Holmes, and the treaty was immediately signed. Payment commenced next day and was rapidly completed.

It was a matter of general comment that the Moose Factory Indians were the most comfortably dressed and best nourished of the Indians we had so far met with.

On the evening of Thursday the Indians announced that they had elected the following chief and councillors: Frederick Mark, James Job, Simon Quatchequan and Simon Cheena. As they were to have their feast in the evening, it was decided to present the flag to the chief on that occasion. The feast was held in a large workshop placed at the disposal of the Indians by the Company; and before this hall, just as night was coming on, the flag was presented to Chief Mark. In many respects it was a unique occasion. The gathering was addressed by Bishop Holmes, who began with a prayer in Cree, the Indians making their responses and singing their hymns in the same language. Bishop Holmes kindly interpreted the address of the commissioners, which was suitably replied to by Chief Mark. It may be recorded that during our stay at this point a commodious church was crowded every evening by interested Indians, and that the good effect of the ministrations for many years of the Church Missionary Society were plain, not only to Moose Factory but after the immediate influence of the post and the missionaries had been left. The crew from Moose Factory which accompanied the commissioners as far as Abitibi held service every night in camp, recited a short litany, sang a hymn and engaged

in prayer, a fact we think worthy of remark, as in the solitude through which we passed this Christian service made a link with civilization and the best influences at work in the world which had penetrated even to these remote regions. On Friday, August 11, the question of a reserve was gone into, and settled to the satisfaction of ourselves and the Indians. A description of the location is given in the schedule of reserves.

During our stay we had the opportunity of inspecting Bishop's Court, at one time the residence of the Bishop of Moosonee, but which the present bishop intends to convert into a boarding school for Indian children. The hospital under the supervision of Miss Johnson was also inspected.

On Saturday, August 12, we left Moose Factory at 12.30. For one week we were engaged with the strong rapids of the Moose and Abitibi rivers, and did not reach New Post, our next point of call, until 12.30 on Saturday, the 19th. New Post is a small and comparatively unimportant post of the Hudson's Bay Company. It is situated on a beautiful bend of the Abitibi river, and commands an excellent hunting country. The post is in charge of Mr. S. B. Barrett, and nowhere was the commission received with greater consideration and hospitality than at this place. The New Post Indians, although few in number, are of excellent character and disposition. They met us with great friendliness. The treaty was concluded on Monday, the 21st, and the Indians were at once paid. The reserve question was also discussed, and the location finally fixed as shown by the schedule of reserves. One of the leading Indians, Esau Omakess, was absent from the reserve during the negotiations. He, however, arrived during the time the payments were being made, and signified his approval of the action taken by his fellow Indians. He was subsequently chosen unanimously as chief of the band.

We started for Abitibi on Tuesday morning, August 22. On the previous evening the chief had announced to the commissioners his intention of accompanying the party, with five companions, to assist in passing the difficult series of portages which lie immediately above New Post. One unacquainted with the methods of travel in these regions will not perhaps realize the great assistance this was to the party. At a moderate estimate, it saved one day's travel; and this great assistance was to be rendered, the chief said, without any desire for reward or even for maintenance on the route (they were to bring their own supplies with them), but simply to show their good-will to the commissioner and their thankfulness to the King and the government for the treatment which had been accorded them. They remained with us until the most difficult portages were passed, and left on the evening of August 24, with mutual expressions of good-will. As we ascended the Abitibi evidences of approaching civilization and of the activity in railway construction and surveying, which had rendered the making of the treaty necessary, were constantly met with. Surveying parties of the Transcontinental railway, the Timiskaming and Northern Ontario railway and Ontario township surveyors were constantly met with.

On the morning of August 29 we reached Lake Abitibi, camped at the Hudson's Bay Company's winter post at the Narrows on the same evening, and arrived at Abitibi post the next night at dusk. We did not expect to find many Indians in attendance, as they usually leave for their hunting grounds about the first week in July. There were, however,

a few Indians who were waiting at the post in expectation of the arrival of the commission. These were assembled at 2.30 on the afternoon of August 31, and the purpose of the commission was carefully explained to them. Until we can report the successful making of the treaty, which we hope to accomplish next year, we do not think it necessary to make any further comment on the situation at this post. A full list of the Indians was obtained from the officer in charge of the Hudson's Bay Company's post, Mr. George Drever. Mr. Drever has thorough command of the Cree and Ojibeway languages, which was of great assistance to the commissioners at Abitibi, where, owing to the fact of the Indians belonging to the two provinces, Ontario and Quebec, it was necessary to draw a fine distinction, and where the explanations had to be most carefully made in order to avoid future misunderstanding and dissatisfaction. Mr. Drever cheerfully undertook this difficult office and performed it to our great satisfaction.

We left Abitibi on the morning of September 1, with an excellent crew and made Klock's depot without misadventure on Monday, September 4. We reached Haileybury on the 6th and arrived at Ottawa on September 9.

In conclusion we beg to give a short resume of the work done this season. Cession was taken of the tract described in the treaty, comprising about 90,000 square miles, and, in addition, by the adhesion of certain Indians whose hunting grounds lie in a northerly direction from the Albany river, which may be roughly described as territory lying between that river and a line drawn from the northeast angle of Treaty No. 3, along the height of land separating the waters which flow into Hudson Bay by the Severn and Winisk from those which flow into James Bay by the Albany and Attawapiskat, comprising about 40,000 square miles. Gratuity was paid altogether to 1,617 Indians, representing a total population, when all the absentees are paid and allowance made for names not on the list, of 2,500 approximately. Throughout all the negotiations we carefully guarded against making any promises over and above those written in the treaty which might afterwards cause embarrassment to the governments concerned. No outside promises were made, and the Indians cannot, and we confidently believe do not, expect any other concessions than those set forth in the documents to which they gave their adherence. It was gratifying throughout to be met by these Indians with such a show of cordiality and trust, and to be able fully to satisfy what they believed to be their claims upon the governments of this country. The treatment of the reserve question, which in this treaty was most important, will, it is hoped, meet with approval. For the most part the reserves were selected by the commissioners after conference with the Indians. They have been selected in situations which are especially advantageous to their owners, and where they will not in any way interfere with railway development or the future commercial interests of the country. While it is doubtful whether the Indians will ever engage in agriculture, these reserves, being of a reasonable size, will give a secure and permanent interest in the land which the indeterminate possession of a large tract could never carry. No valuable water-powers are included within the allotments. The area set apart is, approximately, 374 square miles in the Northwest Territories and 150 square miles in the province of Ontario. When the vast quantity of waste and, at present, unproductive land, surrendered is considered, these allotments must, we think, be pronounced most reasonable.

We beg to transmit herewith copy of the original of the treaty signed in duplicate, and schedule of reserves.

We have the honour to be, sir,  
Your obedient servants,  
DUNCAN C. SCOTT,  
SAMUEL STEWART,  
DANIEL G. MACMARTIN,  
*Treaty Commissioners.*



\* Mr. D.G. MacMartin.

## ***Schedule of Reserves --Treaty No. 9 -- 1905***

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### **ONASBURG**

In the province of Ontario, beginning at the western entrance of the Albany river running westward a distance estimated at four miles as far as the point known as "Sand Point" at the eastern entrance of Pedlar's Path Bay, following the shore of this point southwards and around it and across the narrow entrance of the bay to a point on the eastern shore of the outlet of Paukumjeesenaneseepee, thence due south; to comprise an area of twenty square miles.

In the Northwest Territories, beginning at a point in the centre of the foot of the first small bay west of the Hudson's Bay Company's post, thence west a frontage of ten miles and north a sufficient distance to give a total area of fifty-three square miles.

### **FORT HOPE**

In the Northwest Territories, beginning at Kitchesagi on the north shore of Lake Eabamet extending eastward along the shore of the lake ten miles, lines to be run at right angles from these points to contain sufficient land to provide one square mile for each family of five, upon the ascertained population of the band.

### **MARTEN FALLS**

In the Northwest Territories, on the Albany river, beginning at a point one-quarter of a mile below the foot of the rapid known as Marten Falls down stream a distance of six miles and of sufficient depth to give an area of thirty square miles.

### **ENGLISH RIVER**

In the province of Ontario, beginning at a point on the Kenogami or English river, three miles below the Hudson's Bay Company's post, known as English River post, on the east

side of the river, thence down stream two miles and with sufficient depth to give an area of twelve square miles.

### **PORT ALBANY**

In the Northwest Territories, beginning at the point where the North river flows out of the main stream of the Albany, thence north on the west side of the North river a distance of ten miles and of sufficient depth to give an area of one hundred and forty square miles.

### **MOOSE FACTORY**

In the province of Ontario, beginning at a point on the east shore of Moose river at South Bluff creek, thence south six miles on the east shore of French river, and of sufficient depth to give an area of sixty-six square miles.

### **NEW POST**

In the province of Ontario, beginning at a point one mile south of the northeast end of the eastern arm of the lake known as Taquahtagama, or Big lake, situated about eight miles inland south from New Post on the Abitibi river, thence in a northerly direction about four miles, and of sufficient depth in an easterly direction to give an area of eight square miles.

The reserves are granted with the understanding that connections may be made for settlers' roads wherever required.

DUNCAN C. SCOTT,  
SAMUEL STEWART,  
DANIEL G. MACMARTIN,  
*Treaty Commissioners.*

## **JAMES BAY TREATY** ***Treaty No. 9***

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OTTAWA, October 5, 1906.

The Honourable  
The Supt. General of Indian Affairs,  
Ottawa.

SIR, --- The operations of the Treaty 9 commission during last season ceased at Abitibi, as owing to the absence of the most influential Indians interested in the proposed negotiations it was found impossible to complete the business at that point. In addition to the Abitibi Indians there also remained a number comprising probably a third of the



whole population of the treaty situated at various Hudson's Bay Company's posts, north of the height of land, and scattered along the line of the Canadian Pacific railway as far west as Heron Bay.

Accordingly, to meet and conclude negotiations with these Indians, the commissioners left Ottawa on May 22. Some changes in the party had of necessity to be made. Mr. T. C. Rae, who last year had charge of transportation, was unable to accompany the commission. In his place Mr. Pelham Edgar, of Toronto, who acted as secretary, was added to the party. The services of Mr. J. L. Vanasse, Dominion police constable, were alone retained, as, owing to promotion, Mr. Parkinson could not be detailed for the work. With these exceptions the personnel of the party was the same as last year.

The route to Fort Abitibi from Mattawa, which latter place was left on the morning of May 23, was by the Canadian Pacific railway to Timiskaming, thence by boat to New Liskeard and North Timiskaming. A portage of 17 miles had next to be encountered before reaching Quinze lake, the starting point by canoe for Fort Abitibi.

Arrangements were completed on the morning of May 29 for departure, but a violent wind-storm prevented our starting. Through the kindness of Mr. McCaig, foreman for Mr. R. H. Klock, we were able to leave at one o'clock in the afternoon by "alligator" boat *Trudel*, for The Barrier, 10 miles distant, the first portage north of our starting point. Here we were obliged to camp, as the river was blocked for a considerable distance by a "drive" of logs.

At half-past nine on the morning of the 30th the "drive" was all through and we were able to leave for the post, which was reached at three in the afternoon of June 4.

A majority of the Indians had arrived, but there were a number reported to be on the way who were expected within a day or two. It was thought advisable to wait for them, the interval being utilized by the commissioners in preparing the pay-lists, and by the doctor in giving medical advice to those requiring it.

On June 7, the looked-for Indians having arrived, a meeting was called for the afternoon of that day. Some difficulty was anticipated in negotiating the treaty at Abitibi owing to the peculiar position of the Indians who trade at that post. The post is situated a few miles within the province of Quebec, and the majority of the Indians who trade there belong to that province. It was natural for the Indians to conclude that, as it was the Dominion government and not the provincial government that was negotiating the treaty, no distinction would be made between those hunting in Ontario and those hunting in Quebec. The commissioners had, however, to state that they had no authority to treat with the Quebec Indians, and that the conference in regard to the treaty could only be held with those whose hunting grounds are in the province of Ontario. The Quebec Indians were, however, given to understand that a conference would be held with them later, and that upon their signifying where they desired to have a reserve set apart for them, the government would undertake to secure, if possible, the land required by them at the place designated.

The policy of the province of Ontario has differed very widely from that of Quebec in the matter of the lands occupied by the Indians.

In Ontario, formerly Upper Canada, the rule laid down by the British government from the earliest occupancy of the country has been followed, which recognizes the title of the Indians to the lands occupied by them as their hunting grounds, and their right to compensation for such portions as have from time to time been surrendered by them. In addition to an annual payment in perpetuity, care has also been taken to set apart reservations for the exclusive use of the Indians, of sufficient extent to meet their present and future requirements.

Quebec, formerly Lower Canada, on the other hand, has followed the French policy, which did not admit the claims of the Indians to the lands in the province, but they were held to be the property of the Crown by right of discovery and conquest. Surrenders have not, therefore, been taken from the Indians by the Crown of the lands occupied by them.

The reserves occupied by the Indians within the province of Quebec are those granted by private individuals, or lands granted to religious corporations in trust for certain bands. In addition, land to the extent of 230,000 acres was set apart and appropriated in different parts of Lower Canada under 14 and 15 Vic., chap. 106, for the benefit of different tribes.

Several reserves have also been purchased by the Federal government for certain bands desiring to locate in the districts where the purchases were made.

The conference with the Ontario Indians proved to be highly satisfactory. When the terms of the treaty were fully explained to them through Mr. George Drever, who has a mastery of several Indian dialects, Louis McDougall, Jr., one of the principal men of the band, stated that they were satisfied with the conditions offered and were willing to faithfully carry out the provisions of the treaty. They would also rely upon the government keeping its promises to them. The band hoped that the reserve to be set apart for them would include as great an extent of lake frontage as possible. The other Indians being asked whether they were all of like mind with the spokesman in regard to the treaty, replied that they were, and that they were willing that representatives of the band should sign for them at once. The treaty was accordingly signed by the commissioners and representative Indians, as well as by several witnesses who were present at the conference.

In the forenoon of June 8, payments of annuities were made with great care, in order that only those Indians whose hunting grounds are in Ontario should have their names placed on the list. The commissioners are satisfied that in the performance of this duty they were successful.

In the afternoon an election of a chief and councillors was held, which resulted in Louis McDougall, Jr., being chosen as chief and Michel Penatouche and Andrew McDougall as councillors.

A conference was also held with representative Indians regarding the reserves desired by the band. The conclusion arrived at will be seen by reference to the schedule of reserves attached. After due deliberation the Quebec Indians decided upon the location of their reserve.

The usual feast was held, at which the presentation of a flag and a copy of the treaty took place.

The commissioners and the medical officer having concluded their duties, we left on the morning of June 9 for Quinze lake, which place was reached on the evening of the 12th.

On the morning of the 13th the long and difficult portage between Quinze lake and North Timiskaming was crossed, and at the latter place the boat was taken for Haileybury. Latchford was reached by the Timiskaming and Northern Ontario railway on the afternoon of the 14th. The crew, consisting of five men from Temagami and a number of Indians from Matachewan post, including Michel Baptiste, who was afterwards elected chief, assembled late in the afternoon, and on the morning of the 15th we left by way of Montreal river for Matachewan. The post at Matachewan was reached on the afternoon of June 19, after a difficult journey owing to the numerous rapids in the river and the height of the water. Matachewan is beautifully situated at a point on the Montreal river upon high grounds; the lofty shores of the stream are thickly wooded.

A conference was held with the Indians on the afternoon of the 20th. As usual, the terms of the treaty were fully explained, and an opportunity given the Indians to ask any questions regarding any matter on which further information was desired. Michel Baptiste, on behalf of the Indians, said that the terms of the treaty were very satisfactory to them, and that they were ready to have representatives of the band sign at once. The treaty was therefore signed and witnessed with all due formality.

Payments were made on the 21st to the 79 Indians. The election for a chief resulted in Michel Baptiste being chosen for that position, and at the feast in the evening he was presented with a flag and a copy of the treaty.

The location of the reserve desired by the Indians received careful consideration, and no objection can, it is thought, be taken to the site finally decided upon.

Arrangements have been made for leaving Matachewan early in the morning of the 23rd, but a heavy rain-storm prevented our doing so before half-past four in the afternoon.

The return trip was made by way of Montreal river, Lady Evelyn lake and Lake Temagami to Temagami station. From the latter place we proceeded by train to Biscotasing, our point of departure both for Fort Mattagami and Flying Post. At Biscotasing we also expected to meet a number of Indians belonging to Treaty No. 9, who reside in the vicinity of that place during the summer months.

Biscotasing was reached at twenty minutes past four on the afternoon of Saturday, June 30, and the commissioners were obliged to remain there awaiting the men from Mattagami who were to bring them by canoe to that place, and who did not arrive until the evening of July 3.

We left for Mattagami on the morning of July 4. The Fort was reached about ten on the morning of July 7, when a cordial welcome was given us by Mr. Joseph Miller, who is in charge of that post. We also met at the post Dr. W. Goldie and his brother, of Toronto, who were spending their holidays at that place.

Dr. Goldie had been giving the Indians free medical attendance as far as the medicine he had with him permitted, and he also offered his services in association with Dr. Meindl during our stay at the post. Here we also met Mr. Kenneth G. Ross, chief forest ranger for the district, and several of his assistant, who had come to the post owing to the Indians employed by them desiring to be present at the treaty.

The Indians treated with at Mattagami were well dressed, and appeared to be living comfortably. A degree of unusual cleanliness was to be observed in their surrounding and habits. They gave a cheerful hearing to the terms of the proposed treaty, which was fully explained to them through Mr. Miller, who acted as interpreter. They, like the other Indians visited, were given an opportunity to ask any questions or to make any remarks they might desire with reference to the propositions made to them.

The Indians held a short conversation among themselves, and then announcement through Joseph Shemeket, one of their number, that they were fully satisfied with the terms of the treaty, and were prepared to have it signed by representatives of the band. The treaty was, therefore, at once signed and witnessed. Payments were begun and concluded in the afternoon, and preparations made for the feast. An election for chief was also held, resulting in Andrew Luke being chosen for that position, to whom a flag and a copy of the treaty were presented in the presence of the band.

It is considered by the commissioners that the reserve selected, as shown by the schedule of reserves, should meet with approval.

Mattagami was left on the morning of July 9, and Biscotasing reached on the evening of the 11th. The party left on the afternoon of the 12th for Flying Post and arrived there about eleven on the morning of the 15th (Sunday). The Indians at Flying Post, although small of stature, are lively and energetic, and the journey from Biscotasing to Flying Post and return was rendered enjoyable by the cheerfulness with which they undertook all tasks, and the quickness with which they accomplished the journey. The Indians were assembled on the morning of the 16th, and the terms of the treaty were fully explained through Mr. A. J. McLeod, Hudson's Bay Company's officer, who acted as interpreter. Isaac, one of the leading Indians, speaking for the band, said that they thankfully accepted the benefits offered by the treaty and were willing to observe its provisions. The treaty was, therefore, duly signed and witnessed. The Indians also signified their desire regarding the position of the reserve to be allotted to them, and their choice, as indicated

in the schedule is recommended for approval. Albert Black Ice was unanimously elected as chief of the band, and at the feast which was held in the evening, the usual presentation of a flag and a copy of the treaty was made. The return journey to Biscotasing was begun on the morning of July 17, and that place was reached on the afternoon of the 19th. On the morning of the 20th payments were made to the Indians of Flying Post and Mattagami residing at Biscotasing.

The work of the commission was facilitated by the assistance of Mr. J. E. T. Armstrong, who is in charge of the Hudson's Bay Company's store at that place, and who is thoroughly familiar with the Indians. The considerable Indian population at this point is made up of stragglers from the Spanish River band of the Robinson Treaty, and from Flying Post and Mattagami. They make their living by acting as guides and canoeists for sportsmen, and occasionally work in the mills. Their children have the advantage of attendance at a day school to which the department has been able to give some financial assistance, and also the benefit of mingling on terms of educational equality with white children.

We left for Chapleau about a quarter-past four in the afternoon, and arrived about seven in the evening. Here we were met by the Right Rev. George Holmes, Bishop of Moosonee, and Rev. C. Banting, who aided us in every way possible in the discharge of our duties at Chapleau. Mr. J. M. Austin, who has had long experience with the Indians of that place, also gave us valuable assistance.

It was not necessary to make treaty with the Indians of Chapleau, as they belong to bands residing at Moose Factory, English River, and other points where treaty had already been made. They were, however, recognized as members of the bands to which they belong, and were paid the gratuity due them, after being informed as to what the acceptance of the money by them involved.

Reference to the schedule of reserves will show that small areas are recommended for the Ojibeways and Crees at this point. Large reserves having been set apart for the bands to which they belong at other points in the province, it is only thought advisable and necessary to give them a sufficient area upon which to build their small houses and cultivate garden plots. The Ojibeway reserve is contiguous to the land purchased by the Robinson treaty Indians, which has already been considerably improved.

Payments having been completed at Chapleau, the party left on the evening of the 22nd for Missinaibi and arrived at that station at eight in the evening. This place is of considerable local importance as being the point of departure of one of the main routes to Moose Factory and James Bay by way of Missinaibi river. There is also direct water communication with Michipicoten on lake Superior.

Bishop Holmes, with Rev. Mr. Ovens and his wife and two lady missionaries, who had expected to accompany us as far as New Brunswick House, on their way to Moose Factory, arrived at Missinaibi on the morning of July 23. Their crew had, however, been awaiting them for several days and they were, therefore, able to leave at once for their

destinations. Our crew, with a canoe from New Brunswick House, did not reach Missinaibi until the evening of the 23rd, and our departure was thus delayed until the morning of the 24th.

New Brunswick House was reached on the afternoon of the 25th, where we found the bishop and his party, who had only arrived a few hours before us. This post is situated at the northern end of the beautiful Missinaibi lake, and the outlook from the post is delightful.

The Indians were assembled in the evening and the terms of the treaty explained to them. On being asked whether they had any questions to ask or any remarks to make, they replied, through Mr. J. G. Christie, Hudson's Bay Company's officer, that they were perfectly satisfied with what they were to receive under the treaty, and were willing to sign at once. The signatures of the commissioners and of five of the leading men were, therefore, affixed to the treaty, as well as that of six witnesses. Payments were made on the 25th to about 100 Indians. Alex. Peeketay was chosen by the Indians for the position of chief, and he was presented with a flag and a copy of the treaty at the feast held on the evening of the 26th. A conference regarding the reserve to be set apart was also held. The decision arrived at in regard to this matter will be seen by reference to the schedule attached.

Our duties, as well as those of the doctor, being concluded, we left on the morning of the 28th for Missinaibi, and arrived at that place on the afternoon of the 29th.

Payments were made on the 30th to ninety-eight Moose Factory Indians who live at Missinaibi.

We left on the 31st for Heron Bay, our point of departure for Long Lake, and arrived at the former place at half-past twelve in the afternoon. Arrangements for canoes were not completed until the afternoon of the following day, so that it was not until a quarter to five that we were able to leave for the last post to be visited by us.

The route to Long Lake is at all times a rather difficult one, but was more than ordinarily so this season owing to the water in the Pic river being unusually low. The post was reached on the morning of the 8th. We were accompanied on this trip by Mr. H. A. Tremayne, District Inspector, Hudson's Bay Company, and his wife and young daughter.

A conference was held with the Indians on August 9, and their adhesion to treaty obtained.

Peter Taylor, speaking for the Indians, said they were perfectly satisfied with the terms of the treaty, and much pleased that they were to receive annuity like their brethren of the Robinson Treaty, and also that they were to be granted land which they could feel was their own. Payments were made to 135 Indians. The question of a reserve was carefully gone into, and the commissioners have no hesitation in recommending the confirmation of the site chosen.

The Indians of Treaty 9 stated that they desired to have Newatchkigigswabe, the Robinson Treaty chief, recognized as their chief also, as he had been recognized by them in the past. This was agreed to, and at the feast held on the evening of August 9 the usual presentation of a flag and a copy of the treaty was made. At the conclusion of the feast the chief spoke, thanking the government for what had been done for the Indians of Long Lake. He said that the Indians who had been receiving annuity money for years were glad that their brethren were now placed on an equal footing with them. He hoped that provision would be made for their sick and destitute, as even in the best seasons the Indians found it very difficult to do more than make a living, and were able to do very little towards assisting one another. In reply, the chief was informed that the government was always ready to assist those actually requiring help, but that the Indians must rely as much as possible upon their own exertions for their support.

The return journey was begun on the afternoon of August 10, and Heron Bay was reached on the evening of the 14th. At this place we concluded our duties in connection with the making of the treaty by paying English River Indians, now residing at Montizambert.

The commissioners have pleasure in referring to the evident desire of the Indians at all points visited to display their loyalty to the government, by the reception given to the commissioners, and also by their recognition of the benefits conferred upon them by the treaty.

We desire also to acknowledge the kind attention paid to us and the assistance given by the officers of the Hudson's Bay Company and Revillon Frères.

Nine hundred and fifteen Indians were paid at the points mentioned. Inspector J. G. Ramsden, who visited the Indians who joined treaty in the summer of 1905, paid 2,047. The population of the whole treaty may, therefore, be placed at 3,000 approximately.

Attached to this report will be found a copy of the treaty with signatures as completed, and schedule of reserves.

We have, &c.,

DUNCAN C. SCOTT,  
SAMUEL STEWART,  
DANIEL G. MACMARTIN,

*Treaty Commissioners.*

### ***Schedule of Reserves - Treaty No. 9 -- 1906***

#### **ABITIBI**

In the province of Ontario, beginning at a point on the south shore of Abitibi lake, at the eastern boundary of the township of Milligan projected, thence east following the lake shore to the outlet of Kaquaquakechewaig (Current-running-both-ways) creek, and of



sufficient depth between the said creek and the eastern boundaries of the townships of Milligan and McCool to give an area of thirty square miles.

#### **MATACHEWAN**

In the province of Ontario, inland and north from Fort Matachewan, beginning at the creek connecting a small lagoon with the northwest shore of Turtle lake, thence south on the west shore of said lake a sufficient distance to give an area of sixteen square miles.

#### **MATTAGAMI**

In the province of Ontario, on the west side of Mattagami lake, three-quarters of a mile north of a point opposite the Hudson's Bay Company's post, thence north following the lake front a distance of four miles, and of sufficient depth to give an area of twenty square miles.

#### **FLYING POST**

In the province of Ontario, commencing at a point half a mile south of Six-mile rapids, on the east side of Ground Hog river, thence south a distance of four miles, and of sufficient depth to give an area of twenty-three square miles.

#### **OJIBEWAYS -- CHAPLEAU**

In the province of Ontario, one hundred and sixty acres abutting and south of the reserve sold to the Robinson Treaty Indians, one mile below the town of Chapleau.

#### **MOOSE FACTORY CREES -- CHAPLEAU**

In the province of Ontario, one hundred and sixty acres fronting Kerebesquashesing river.

#### **NEW BRUNSWICK HOUSE**

In the province of Ontario, beginning at the entrance to an unnamed creek on the west shore of Missinaibi river, about half a mile southwest of the Hudson's Bay Company's post, thence north four miles, and of sufficient depth to give an area of twenty-seven square miles.

#### **LONG LAKE**

In the province of Ontario, beginning at a point where the "Suicide" or Little Albany river enters Long lake, thence in a southerly direction four miles, following the lake frontage, of a sufficient depth to give an area of twenty-seven square miles.

The reserves are granted with the understanding that connections may be made for settlers' roads wherever required.

DUNCAN C. SCOTT,  
SAMUEL STEWART,  
D. GEO. MACMARTIN,

*Treaty Commissioners.*

### ***The James Bay Treaty - Treaty No. 9***

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ARTICLES OF A TREATY made and concluded at the several dates mentioned therein, in the year of Our Lord one thousand and nine hundred and five, between His Most Gracious Majesty the King of Great Britain and Ireland, by His Commissioners, Duncan Campbell Scott, of Ottawa, Ontario, Esquire, and Samuel Stewart, of Ottawa, Ontario, Esquire; and Daniel George MacMartin, of Perth, Ontario, Esquire, representing the province of Ontario, of the one part; and the Ojibeway, Cree and other Indians, inhabitants of the territory within the limits hereinafter defined and described, by their chiefs, and headmen hereunto subscribed, of the other part: --

Whereas, the Indians inhabiting the territory hereinafter defined have been convened to meet a commission representing His Majesty's government of the Dominion of Canada at certain places in the said territory in this present year of 1905, to deliberate upon certain matters of interest to His Most Gracious Majesty, of the one part, and the said Indians of the other.

And, whereas, the said Indians have been notified and informed by His Majesty's said commission that it is His desire to open for settlement, immigration, trade, travel, mining, lumbering, and such other purposes as to His Majesty may seem meet, a tract of country, bounded and described as hereinafter mentioned, and to obtain the consent thereto of His Indian subjects inhabiting the said tract, and to make a treaty and arrange with them, so that there may be peace and good-will between them and His Majesty's other subjects, and that His Indian people may know and be assured of what allowances they are to count upon and receive from His Majesty's bounty and benevolence.

And whereas, the Indians of the said tract, duly convened in council at the respective points named hereunder, and being requested by His Majesty's commissioners to name certain chiefs and headmen who should be authorized on their behalf to conduct such negotiations and sign any treaty to be found thereon, and to become responsible to His Majesty for the faithful performance by their respective bands of such obligations as shall be assumed by them, the said Indians have therefore acknowledged for that purpose the several chiefs and headmen who have subscribed hereto.

And whereas, the said commissioners have proceeded to negotiate a treaty with the Ojibeway, Cree and other Indians, inhabiting the district hereinafter defined and described, and the same has been agreed upon, and concluded by the respective bands at the dates mentioned hereunder, the said Indians do hereby cede, release, surrender and yield up to the government of the Dominion of Canada, for His Majesty the King and His

successors for ever, all their rights titles and privileges whatsoever, to the lands included within the following limits, that is to say: That portion or tract of land lying and being in the province of Ontario, bounded on the south by the height of land and the northern boundaries of the territory ceded by the Robinson-Superior Treaty of 1850, and the Robinson-Huron Treaty of 1850, and bounded on the east and north by the boundaries of the said province of Ontario as defined by law, and on the west by a part of the eastern boundary of the territory ceded by the Northwest Angle Treaty No. 3; the said land containing an area of ninety thousand square miles, more or less.

And also, the said Indian rights, titles and privileges whatsoever to all other lands wherever situated in Ontario, Quebec, Manitoba, the District of Keewatin, or in any other portion of the Dominion of Canada.

To have and to hold the same to His Majesty the King and His successors for ever.

And His Majesty the King hereby agrees with the said Indians that they shall have the right to pursue their usual vocations of hunting, trapping and fishing throughout the tract surrendered as heretofore described, subject to such regulations as may from time to time be made by the government of the country, acting under the authority of His Majesty, and saving and excepting such tracts as may be required or taken up from time to time for settlement, mining, lumbering, trading or other purposes.

And His Majesty the King hereby agrees and undertakes to lay aside reserves for each band, the same not to exceed in all one square mile for each family of five, or in that proportion for larger and smaller families; and the location of the said reserves having been arranged between His Majesty's commissioners and the chiefs and headmen, as described in the schedule of reserves hereto attached, the boundaries thereof to be hereafter surveyed and defined, the said reserves when confirmed shall be held and administered by His Majesty for the benefit of the Indians free of all claims, liens, or trusts by Ontario.

Provided, however, that His Majesty reserves the right to deal with any settlers within the bounds of any lands reserved for any band as He may see fit; and also that the aforesaid reserves of land, or any interest therein, may be sold or otherwise disposed of by His Majesty's government for the use and benefit of the said Indians entitled thereto, with their consent first had and obtained; but in no wise shall the said Indians, or any of them, be entitled to sell or otherwise alienate any of the lands allotted to them as reserves.

It is further agreed between His said Majesty and His Indian subjects that such portions of the reserves and lands above indicated as may at any time be required for public works, buildings, railways, or roads of whatsoever nature may be appropriated for that purpose by His Majesty's government of the Dominion of Canada, due compensation being made to the Indians for the value of improvements thereon, and an equivalent in land, money or other consideration for the area of the reserve so appropriated.

And with a view to show the satisfaction of His Majesty with the behaviour and good conduct of His Indians, and in extinguishment of all their past claims, He hereby, through His commissioners, agrees to make each Indian a present of eight dollars in cash.

His Majesty also agrees that next year, and annually afterwards for ever, He will cause to be paid to the said Indians in cash, at suitable places and dates, of which the said Indians shall be duly notified, four dollars, the same, unless there be some exceptional reason, to be paid only to the heads of families for those belonging thereto.

Further, His Majesty agrees that each chief, after signing the treaty, shall receive a suitable flag and a copy of this treaty to be for the use of his band.

Further, His Majesty agrees to pay such salaries of teachers to instruct the children of said Indians, and also to provide such school buildings and educational equipment as may seem advisable to His Majesty's government of Canada.

And the undersigned Ojibeway, Cree and other chiefs and headmen, on their own behalf and on behalf of all the Indians whom they represent, do hereby solemnly promise and engage to strictly observe this treaty, and also to conduct and behave themselves as good and loyal subjects of His Majesty the King.

They promise and engage that they will, in all respects, obey and abide by the law; that they will maintain peace between each other and between themselves and other tribes of Indians, and between themselves and others of His Majesty's subjects, whether Indians, half-breeds or whites, this year inhabiting and hereafter to inhabit any part of the said ceded territory; and that they will not molest the person or property of any inhabitant of such ceded tract, or of any other district or country, or interfere with or trouble any person passing or travelling through the said tract, or any part thereof, and that they will assist the officers of His Majesty in bringing to justice and punishment any Indian offending against the stipulations of this treaty, or infringing the law in force in the country so ceded.

And it is further understood that this treaty is made and entered into subject to an agreement dated the third day of July, nineteen hundred and five, between the Dominion of Canada and Province of Ontario, which is hereto attached.

In witness whereof, His Majesty's said commissioners and the said chiefs and headmen have hereunto set their hands at the places and times set forth in the year herein first above written.

Signed at Osnaburg on the twelfth day of July, 1905, by His Majesty's commissioners and the chiefs and headmen in the presence of the undersigned witnesses, after having been first interpreted and explained.

Witnesses:

THOMAS CLOUSTON RAE, C.T.,  
Hudsons Bay Co.  
ALEX. GEORGE MEINDL, M.D.  
JABEZ WILLIAMS, Commis,  
H. B. Co.

DUNCAN CAMPBELL SCOTT.  
SAMUEL STEWART.  
DANIEL GEORGE MACMARTIN.  
MISSABAY,  
his x mark  
THOMAS his x mark MISSABAY.  
GEORGE his x mark WAHWAASHKUNG.  
KWIASH,  
his x mark.  
NAHOKEESIC,  
his x mark  
OOMBASH,  
his x mark  
DAVID his x mark SKUNK.  
JOHN his x mark SKUNK  
THOMAS his x mark PANACHEESE.

Signed at Fort Hope on the nineteenth day of July, 1905, by His Majesty's commissioners and the chiefs and headmen in the presence of the undersigned witnesses, after having been first interpreted and explained.

Witnesses:

F.X. FARARD, O.M.I.  
THOMAS CLOUSTON RAE.  
ALEX. GEORGE MEINDL. M.D.  
CHAS. H.M. GORDON, H. B. Co.

YESNO,  
his x mark  
DANIEL GEORGE MACMARTIN  
SAMUEL STEWART.  
DUNCAN CAMPBELL SCOTT.  
GEORGE his x mark NAMAY.  
WENANGASIE his x mark DRAKE.  
GEORGE his x mark QUISEES.  
KATCHANG,  
his x mark  
MOONIAS,  
his x mark  
JOE his x mark GOODWIN.  
ABRAHAM his x mark ATLOOKAN.  
HARRY his x mark OOSKINEEGISH.  
NOAH his x mark NESHINAPAIS  
JOHN A. his x mark ASHPANAQUESHKUN.  
JACOB his x mark RABBIT.

Signed at Marten Falls on the twenty-fifth day of July, 1905, by His Majesty's commissioners and the chief and headmen in the presence of the undersigned witnesses, after having been first interpreted and explained.

Witnesses:

THOMAS CLOUSTON RAE, C.T.,  
H. B. Co.  
ALEX GEORGE MEINDL, M.D.  
SAMUEL ISERHOFF.

DUNCAN CAMPBELL SCOTT.  
SAMUEL STEWART.  
DANIEL GEORGE MACMARTIN.  
WILLIAM his x mark WHITEHEAD.  
WILLIAM his x mark COASTER.  
DAVID his x mark KNAPAYSWET.  
OSTAMAS his x mark LONG TOM.  
WILLIAM his x mark WEENJACK

Signed at Fort Albany on the third day of August, 1905, by His Majesty's commissioners and the chiefs and headmen in the presence of the undersigned witnesses, after having been first interpreted and explained.

Witnesses:

THOMAS CLOUSTON RAE,  
C.T. H. B. Co.  
G.W. COCKRAM.  
A.W. PATTERSON.  
ALEX. GEORGE MEINDL, M.D.  
JOSEPH PATTERSON.  
MINNIE COCKRAM.

DUNCAN CAMPBELL SCOTT.  
SAMUEL STEWART.  
DANIEL GEORGE MACMARTIN.  
CHARLIE his x mark STEPHEN.  
PATRICK his x mark STEPHEN.  
DAVID GEO. his x mark WYNNE.  
ANDREW his x mark WESLEY.  
JACOB his x mark TAHTAIL.  
JOHN his x mark WESLEY.  
XAVIER his x mark BIRD.  
PETER his x mark SACKANEY  
WM. his x mark GOODWIN.  
SAML. his x mark SCOTT.

Signed at Moose Factory on the ninth day of August, 1905, by His Majesty's commissioners and the chiefs and headmen in the presence of the undersigned witnesses, after having been first interpreted and explained.

Witnesses:

GEORGE MOOSONEE.  
THOMAS CLOUSTON RAE, C.T.  
JOHN GEORGE MOWAT,  
H. B. Co.  
THOMAS BIRD HOLLAND, B.A.  
JAMES PARKINSON.

DUNCAN CAMPBELL SCOTT.  
SAMUEL STEWART.  
DANIEL GEORGE MACMARTIN.  
SIMON his x mark SMALLBOY.  
GEORGE his x mark TAPPAISE.  
HENRY SAILOR, Signed in Cree syllabic  
JOHN NAKOGEE, Signed in Cree syllabic  
JOHN DICK, Signed in Cree syllabic  
SIMON QUATCHEWAN, Signed in Cree syllabic



JOHN JEFFRIES, Signed in Cree syllabic  
FRED MARK, Signed in Cree syllabic  
HENRY UTAPPE,  
his x mark  
SIMON CHEENA,  
his x mark

Signed at New Post on the twenty-first day of August, 1905, by His Majesty's commissioners and the chiefs and headmen in the presence of the undersigned witnesses, after having been first interpreted and explained.

Witnesses:

THOMAS CLOUSTON RAE, C.T., H.	DUNCAN CAMPBELL SCOTT.
B. Co.	SAMUEL STEWART.
SYDNEY BLENKARNE BARRETT,	DANIEL GEORGE MACMARTIN.
H. B. Co.	ANGUS his x mark WEENUSK.
JOSEPH LOUIS VANASSE.	JOHN his x mark LUKE.
	WILLIAM his x mark GULL.

Signed at Abitibi on the seventh day of June, 1906, by His Majesty's commissioners and the chiefs and headmen in the presence of the undersigned witnesses, after having been first interpreted and explained.

Witnesses:

GEORGE DREVER.	DUNCAN CAMPBELL SCOTT.
ALEX. GEORGE MEINDL, M.D.	SAMUEL STEWART.
PELHAM EDGAR.	LOUIS his x mark MCDOUGALL.
	ANDREW his x mark MCDOUGALL.
	OLD his x mark CHEESE.
	MICHEL his x mark PENATOUCHE.
	LOUI MACDOUGALL.
	ANTOINE PENATOUCHE.

Signed at Matachewan on the twentieth day of June, 1906, by His Majesty's commissioners and the chiefs and headmen in the presence of the undersigned witnesses, after having been first interpreted and explained.

Witnesses:

PELHAM EDGAR.	DUNCAN CAMPBELL SCOTT.
GEORGE NOMTEITH.	SAMUEL STEWART.
ALEX. GEORGE MEINDL, M.D.	DANIEL GEORGE MACMARTIN.
	MICHEL his x mark. BATISE.

ROUND his x mark EYES  
THOMAS his x mark FOX.  
JIMMY his x mark PIERCE.

Signed at Mattagami on the seventh day of July, 1906, by His Majesty's commissioners and the chiefs and headmen in the presence of the undersigned witnesses, after having been first interpreted and explained.

Witnesses:

JOS. MILLER.  
PELHAM EDGAR.  
A.M.C. BANTING  
KENNETH ROSS.

DUNCAN CAMPBELL SCOTT.  
SAMUEL STEWART.  
DANIEL GEORGE MACMARTIN.  
ANDREW his x mark LUKE.  
JOSEPH SHEMEKET Signed in syllabic characters.  
THOMAS CHICKEN Signed in syllabic characters.  
JAMES NEVUE Signed in syllabic characters.

Signed at Flying Post on the sixteenth day of July, 1906, by His Majesty's commissioners and the chiefs and headmen in the presence of the undersigned witnesses, after having been first interpreted and explained.

Witnesses:

A.J. MCLEOD.  
PELHAM EDGAR.  
ALEX. GEORGE MEINDL, M.D.  
JOSEPH LOUIS VANASSE.

DUNCAN CAMPBELL SCOTT.  
SAMUEL STEWART.  
DANIEL GEORGE MACMARTIN.  
ALBERT BLACK ICE Signed in syllabic characters.  
JOHN ISSAC Signed in syllabic characters.  
WILLIAM FROG Signed in syllabic characters.  
THOMAS FROG Signed in syllabic characters.

Signed at New Brunswick House on the twenty-fifth day of July, 1906, by His Majesty's commissioners and the chiefs and headmen in the presence of the undersigned witnesses, after having been first interpreted and explained.

Witnesses:

GEORGE MONSONEE.  
JAMES G. CHRISTIE.  
GRACE MCTAVISH.  
CLAUDE D. OWENS

DUNCAN CAMPBELL SCOTT.  
SAMUEL STEWART.  
DANIEL GEORGE MACMARTIN.  
ALEX. PEEKETAY Signed in syllabic

PELHAM EDGAR.  
EDMUND MORRIS.

characters.  
POOTOOSH,  
his x mark.  
PETER MITIGONABIE, his x mark  
TOM NESHWABUN Signed in syllabic  
characters.  
JACOB WINDABAIE Signed in syllabic  
characters.

Signed at Long Lake on the ninth day of August, 1906, by His Majesty's commissioners and the chiefs and headmen in the presence of the undersigned witnesses, after having been first interpreted and explained.

Witnesses:

H.A. TREMAYNE.  
ISABELLA TREMAYNE.  
P. GODCHERE.  
PELHAM EDGAR.

DUNCAN CAMPBELL SCOTT.  
SAMUEL STEWART.  
DANIEL GEORGE MACMARTIN.  
KWAKIGIGICKWEANG Signed in syllabic  
characters.  
KENESWABE Signed in syllabic characters.  
MATAWAGAN Signed in syllabic characters.  
ODAGAMEA Signed in syllabic characters.

### ***Agreement Between the Dominion of Canada and the Province of Ontario***

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THIS AGREEMENT made on the third day of July, in the year of Our Lord, 1905,  
between

The Honourable Frank Oliver, Superintendent General of Indian Affairs, on behalf of the  
government of Canada

Of the one part:

And

The Honourable Francis Cochrane, Minister of Lands and Mines of the province of  
Ontario, on behalf of the government of Ontario.

On the other part.

Whereas, His Most Gracious Majesty the King of Great Britain and Ireland is about to  
negotiate a treaty with the Ojibeway and other Indians inhabitants of the territory within  
the limits hereinafter defined and described by their chiefs and headmen for the purpose

of opening for settlement, immigration, trade, travel, mining and lumbering, and for such other purposes as to His Majesty may seem meet, a tract of country bounded and described as hereinafter mentioned, and of obtaining the consent thereto of His Indian subjects inhabiting the said tract, and of arranging with them for the cession of the Indian rights, titles and privileges to be ceded, released, surrendered and yielded up to His Majesty the King and His successors for ever, so that there may be, peace and good-will between them and His Majesty's other subjects, and that His Indian people may know and be assured of what allowances they are to count upon and receive from His Majesty's bounty and benevolence, which said territory may be described and defined as follows, that is to say, all that portion or tract of land lying and being in the province of Ontario, bounded on the south side by the height of land and the northern boundaries of the territory ceded by the Robinson-Superior Treaty of 1850, and the Robinson-Huron Treaty of 1850, and bounded on the east and north by the boundaries of the said province of Ontario as defined by law, and on the west by a part of the eastern boundary of the territory ceded by the Northwest Angle Treaty No. 3; the said land containing an area of ninety thousand square miles, more or less, said treaty to release and surrender also all Indian rights and privileges whatsoever of the said Indians to all or any other lands wherever situated in Ontario, Quebec, Manitoba, or the district of Keewatin, or in any other portion of the Dominion of Canada.

And whereas, by the agreement made the 16th day of April, 1894, entered into between the government of the Dominion of Canada, represented by the Honourable T. Mayne Daly, and the government of the province of Ontario, represented by the Honourable John M. Gibson, in pursuance of the statute of Canada passed in the fifty-fourth and fifty-fifth years of Her Majesty's reign, chaptered five and intituled, "An Act for the settlement of certain questions between the governments of Canada and Ontario respecting Indian lands," and the statute of Ontario passed in the fifty-fourth year of Her Majesty's reign, chaptered three, and entitled, "An Act for the settlement of certain questions between the governments of Canada and Ontario respecting Indian lands," and by the sixth clause of the said agreement it is provided, "That any future treaties with the Indians in respect of territory in Ontario to which they have not before the passing of the said statutes surrendered their claim aforesaid, shall be deemed to require the concurrence of the government of Ontario," and by the said intended treaty it is signified and declared that His Majesty show his satisfaction with the behaviour and good conduct of His Indian subjects, and in extinguishment of all their past claims through His commissioners, will make to each Indian a present of eight dollars in cash, and will also next year and annually afterwards for ever cause to be paid to each of the said Indians in cash, at suitable places and dates, of which the said Indians shall be duly notified, the sum of four dollars, and that unless there be some exceptional reason, such sums will be paid only to heads of families for those belonging thereto.

It is therefore agreed by and between the governments of Canada and of Ontario as aforesaid, as follows: --

That, subject to the provisions contained in the hereinbefore recited agreement of 16th April, 1894, and also the agreement made on 7th July, 1902, by counsel on behalf of the

governments of the Dominion and Ontario, intervening parties, upon the appeal to the Judicial Committee of the Privy Council in the suit of the Ontario Mining Company v. Seybold et al. (Ont. S.P., 1904, No. 93), a copy whereof is hereto attached; and the surrender of the Indian title within Ontario to the entire territory herein defined and described, duly obtained, --

The government of the province of Ontario hereby gives consent and upon the following conditions concurs in the terms proposed to be entered into, made and agreed by the said treaty, in so far that the said government of Ontario, on and after the payment to the Indians of the above mentioned present of eight dollars, and thereafter the payment annually of four dollars to each Indian, for ever, as above specified, promises and agrees to pay the said sums to the government of Canada, upon request when and as the same are paid to the Indians, upon proof, when required, of such payment -- such payments to be free from any expenses at the cost of Ontario attendant upon distribution of the said sums of money.

And the government of Ontario, subject to the conditions, aforesaid, further concurs in the setting apart and location of reserves within any part of the said territory, as surrendered or intended to be surrendered, in area not greater than one square mile for each family of five, or in like proportion, at points to be chosen by the commissioners negotiating the said treaty, one of the said commissioners to be appointed by the Lieutenant Governor of Ontario in Council, and the selection of the said reserves to be subject to the approval of the Lieutenant Governor in Council.

And the government of Ontario stipulates no part of the expense of survey and location of the said reserves to be at any time at the cost of the government of Ontario.

And further, that no site suitable for the development of water-power exceeding 500 horse-power shall be included within the boundaries of any reserve.

It is also agreed between the parties hereto that no part of the cost of negotiating the said treaty is to be borne by the province of Ontario.

In witness whereof, these presents have been signed and sealed on behalf of the government of Canada by the Honourable Frank Oliver, Superintendent General of Indian Affairs, and on behalf of the government of Ontario by the Honourable Francis Cochrane, Minister of Lands and Mines.

Signed, sealed and delivered by the Honourable Frank Oliver, in presence of FRANK PEDLEY, and by the Honourable FRANCIS COCHRANE in the presence of GEO. W. YATES.

FRANK OLIVER.

F. COCHRANE.

Agreement between counsel on behalf of the Dominion and Ontario, intervening parties upon the appeal to the Judicial Committee of the Privy Council in Ontario Mining Company vs. Seybold et al.

As to all treaty Indian reserves in Ontario (including those in the territory covered by the Northwest Angle Treaty, which are or shall be duly established pursuant to the statutory agreement of one thousand eight hundred and ninety-four), and which have been or shall be duly surrendered by the Indians to sell or lease for their benefit, Ontario agrees to confirm the titles heretofore made by the Dominion, and that the Dominion shall have full power and authority to sell or lease and convey title in fee simple or for any less estate.

The Dominion agrees to hold the proceeds of such lands when or so far as they have been converted into money upon the extinction of the Indian interest therein, subject to such rights of Ontario thereto as may exist by law.

As to the reserves in the territory covered by the Northwest Angle Treaty which may be duly established as aforesaid, Ontario agrees that the precious metals shall be considered to form part of the reserves and may be disposed by the Dominion for the benefit of the Indians to the same extent and subject to the same undertaking as to the proceeds as heretofore agreed with regard to the lands in such reserves.

The question as to whether other reserves in Ontario include precious metals to depend upon the instruments and circumstances and law affecting each case respectively.

Nothing is hereby conceded by either party with regard to the constitutional or legal rights of the Dominion or Ontario as to the sale or title to Indian reserves or precious metals, or as to any of the contentions submitted by the cases of either government herein, but it is intended that as a matter of policy and convenience the reserves may be administered as hereinbefore agreed.

Nothing herein contained shall be considered as binding Ontario to confirm the titles heretofore made by the Dominion to portions of Reserve 38B already granted by Ontario as appearing in the proceedings.

(Sgd.) E. L. NEWCOMBE, *for the Dominion.*

(Sgd.) EDWARD BLAKE, *for Ontario.*

Dated 7th July, 1902.

**DEPARTMENT OF ATTORNEY GENERAL, TORONTO**

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Copy of an Order in Council approved by His Honour the Lieutenant Governor, the 13th day of February, A.D. 1907.

Upon consideration of the report of the Honourable the Minister of Lands, Forests and Mines, dated 11th February, 1907, the Committee of Council advise that Your Honour may be pleased to ratify so far as may be necessary the treaty entitled the James Bay Treaty No. 9, made by the Commissioners, Messrs. Duncan Campbell Scott, Samuel Stewart and Daniel George MacMartin, who were appointed to negotiate with the Ojibeway, Cree and other Indians inhabiting the territory hereinafter defined for the cession by the said Indians to the Crown on the terms embodied in the treaty, all their rights, titles and privileges to the land included in the said territory, the limits of which may be described as follows: That portion or tract of land lying and being in the province of Ontario bounded on the south by the height of land and the northern boundary of the territory ceded by the Robinson Superior Treaty of 1850, and the Robinson Huron Treaty of 1850, and bounded on the east and north by the boundaries of the said province of Ontario as defined by law and on the west by a part of the eastern boundary of the territory ceded by the Northwest Angle Treaty No. 3.

The committee further advise that Your Honour may be pleased to approve and confirm the selection of the following reserves described in the schedule attached to the report of the said commissioners, dated 6th November, 1905, and in the schedule of reserves Treaty No. 9, 1906, it being clearly understood that the government of the Dominion shall be responsible for the survey of the said reserves and that plans and field notes of the said reserves shall be deposited in the office of the Minister of Lands, Forests and Mines when such surveys have been made.

Osnaburg, an area of 20 square miles.  
English River, an area of 12 square miles.  
Moose Factory, an area of 66 square miles.  
New Post, an area of 8 square miles.  
Abitibi, an area of 30 square miles.  
Matachewan, an area of 16 square miles.  
Metagami, an area of 20 square miles.  
Flying Post, an area of 23 square miles.  
Ojibeways, at Chapleau, 160 acres.  
Moose Factory Crees, at Chapleau, 160 acres.  
New Brunswick House, an area of 27 square miles.  
Long Lake, an area of 27 square miles.

Certified

J. LONSDALE CAPREOL,  
Clerk, Executive Council.

**Certified      to be a true copy of a Minute of a Meeting of the Committee  
of the Privy Council, approved by His Excellency the Governor  
General on the 5th November, 1930.**

The Committee of the Privy Council, on the recommendation of the Superintendent General of Indian Affairs, submit for Your Excellency's ratification and confirmation the annexed instrument containing the adhesion to James Bay Treaty Number Nine of the Ojibeway Indians and other Indians in Northern Ontario, taken at Trout Lake on the 5th day of July, 1929; at Windigo River on the 18th day of July, 1930; at Fort Severn on the 25th day of July, 1930; at Winisk on the 28th day of July, 1930, by Mr. Walter Charles Cain and Mr. Herbert Nathaniel Awrey, who were appointed by Order in Council P.C. 921, 30th May, 1929, as His Majesty's Commissioners to take the said adhesion.

E. J. LEMAIRE,  
*Clerk of the Privy Council*

The Honourable  
The Superintendent General of Indian Affairs.

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### **Adhesions to Treaty Number Nine**

WHEREAS His Most Gracious Majesty George V, by the Grace of God of Great Britain, Ireland and the British Dominions beyond the Seas, King, Defender of the Faith, Emperor of India, has been pleased to extend the provisions of the Treaty known as The James Bay Treaty or Treaty Number Nine, of which a true copy is hereto annexed, to the Indians inhabiting the hereinafter described territory adjacent to the territory described in the said Treaty, in consideration of the said Indians agreeing to surrender and yield up to His Majesty all their rights, titles and privileges to the hereinafter described territory.

AND WHEREAS we, the Ojibeway, Cree and all other Indians inhabiting the hereinafter described Territory, having had communication of the foregoing Treaty and of the intention of His Most Gracious Majesty to extend its provisions to us, through His Majesty's Commissioners, Walter Charles Cain, B.A., of the City of Toronto, and Herbert Nathaniel Awrey, of the City of Ottawa, have agreed to surrender and yield up to His Majesty all our rights, titles and privileges to the said territory.

NOW THEREFORE we, the said Ojibeway, Cree and other Indian inhabitants, in consideration of the provisions of the said foregoing Treaty being extended to us, do hereby cede, release, surrender and yield up to the Government of the Dominion of Canada for His Majesty the King and His Successors forever, all our rights, titles and privileges whatsoever in all that tract of land, and land covered by water in the Province of Ontario, comprising part of the District of Kenora (Patricia Portion) containing one hundred and twenty-eight thousand three hundred and twenty square miles, more or less, being bounded on the South by the Northerly limit of Treaty Number Nine; on the West

by Easterly limits of Treaties Numbers Three and Five, and the boundary between the Provinces of Ontario and Manitoba; on the North by the waters of Hudson Bay, and on the East by the waters of James Bay and including all islands, islets and rocks, waters and land covered by water within the said limits, and also all the said Indian rights, titles and privileges whatsoever to all other lands and lands covered by water, wherever situated in the Dominion of Canada.

TO HAVE AND TO HOLD the same to His Majesty the King and His Successors forever.

AND we, the said Ojibeway, Cree and other Indian inhabitants, represented herein by our Chiefs and Councillors presented as such by the Bands, do hereby agree to accept the several provisions, payments and other benefits, as stated in the said Treaty, and solemnly promise and engage to abide by, carry out and fulfil all the stipulations, obligations and conditions therein on the part of the said Chiefs and Indians therein named, to be observed and performed, and in all things to conform to the articles of the said Treaty as if we ourselves had been originally contracting parties thereto.

AND HIS MAJESTY through His said Commissioners agrees and undertakes to set side reserves for each band as provided by the said aforementioned Treaty, at such places or locations as may be arranged between the said Commissioners and the Chiefs and headmen of each Band

IN WITNESSES WHEREOF, His Majesty's said Commissioners and the said Chiefs and headmen have hereunto subscribed their names at the places and times hereinafter set forth.

SIGNED at Trout Lake, on the Fifth day of July, 1929, by His Majesty's Commissioners and the Chief and headmen in the presence of the undersigned witnesses after having been first interpreted and explained.

*Witnesses :*

MARY C. GARRETT.  
LESLIE GARRETT.  
GORDON L. BELL, M.B.  
KARL BAYLY.

WALTER CHARLES CAIN, *Commissioner*.  
HERBERT NATHANIEL AWREY, *Commissioner*  
SAMSON BEARDY - Signed in Syllabic.  
GEORGE WINNAPETONGE - Signed in Syllabic.  
JEREMIAH SAINNAWAP - Signed in Syllabic.  
ISAAC BARKMAN.  
JACK McKAY - Signed in Syllabic.  
JACOB FROG - Signed in Syllabic.

SIGNED at Windigo River on the Eighteenth day of July, 1930, by His Majesty's Commissioners and the Chief and headmen in the presence of the undersigned witnesses after having been first interpreted and explained.

*Witnesses:*

JOHN T. O'GORMAN.  
JOHN WESLEY.

WALTER CHARLES CAIN, *Commissioner*.  
HERBERT NATHANIEL AWREY, *Commissioner*.  
APIN KA-KE-PE-NESS - Signed in Syllabic.  
SAMUEL SA-WA-NIS - Signed in Syllabic.  
JOHN QUE-QUE-ISH - Signed in Syllabic.  
PATRICK KA-KE-KA-YASH - Signed in Syllabic.  
SENIA SAK-CHE-KA-POW - Signed in Syllabic.

SIGNED at Fort Severn on the Twenty-fifth day of July, 1930, by His Majesty's Commissioners and the Chief and headmen in the presence of the undersigned witnesses after having been first interpreted and explained.

*Witnesses:*

JOHN T. O'GORMAN.  
DAVID A. HARDING.  
R. KINGSLEY ROSE.  
GEO. THIRD.  
GERALD McMANUS.  
RENE GAUTHIER.  
H. F. BLAND.  
HENRY J. MANN.

WALTER CHARLES CAIN, *Commissioner*.  
HERBERT NATHANIEL AWREY,  
*Commissioner*.  
GEORGE BLUECOAT Signed in Syllabic.  
MUNZIE ALBANY Signed in Syllabic.  
SAUL CROW Signed in Syllabic.

SIGNED at Winisk on the Twenty-eighth day of July, 1930, by His Majesty's Commissioners and the Chief and headmen in the presence of the undersigned witnesses after having been first interpreted and explained.

*Witnesses:*

L. PH. MARTEL, O.M.I.  
JOHN THOMAS O'GORMAN.  
JOHN HARRIS.  
RAY T. WHEELER.

WALTER CHARLES CAIN, *Commissioner*.  
HERBERT NATHANIEL AWREY, *Commissioner*.  
XAVIER PATRICK Signed in Syllabic.  
JOHN BIRD Signed in Syllabic.  
DAVID SUTHERLAND Signed in Syllabic.

## **ONTARIO EXECUTIVE COUNCIL OFFICE**

***Copy of an Order in Council, approved by the Honourable the  
Lieutenant Governor, dated the 18th day of June, A. D. 1931***

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The Committee of Council have had under consideration the report of the Honourable the Minister of Lands and Forests, dated June 8, 1931, therein he states that, by a Commission dated the thirtieth day of May, 1929, issued in pursuance of an agreement

dated the first day of March, 1929, between the Superintendent General of Indian Affairs on behalf of the Government of Canada and the Minister of Lands and Forests of the Province of Ontario on behalf of the Government of Ontario, and in accordance with a Minute of a Meeting of the Committee of the Privy Council approved by His Excellency the Governor General on the said thirtieth day of May, 1929, Mr. Walter Charles Cain, Deputy Minister of Lands and Forests for the Province of Ontario, and Mr. Herbert Nathaniel Awrey, of the Department of Indian Affairs, were appointed Commissioners "For the purpose of negotiating an extension of James Bay Treaty No. 9 with the Ojibeway and other Indians, inhabitants of the territory within the limits hereinafter defined and described, by their chiefs and headmen, for the purpose of opening for settlement, immigration, trade, travel, mining and lumbering, and for such other purposes as to His Majesty may seem meet, a tract of country bounded and described as hereinafter mentioned, and of obtaining the consent thereto of His Indian subjects inhabiting the said tract, and of arranging with them for the cession of the Indian rights, titles and privileges to be ceded, released, surrendered and yielded up to His Majesty the King, and His successors forever, so that there may be peace and good-will between them and His Majesty's other subjects, and that His Indian people may know and be assured of what allowances they are to count upon and receive from His Majesty's bounty and benevolence, which said territory may be described and defined as follows, that is to say:

All that tract of land and land covered by water in the Province of Ontario, comprising part of the District of Kenora (Patricia portion), containing one hundred and twenty-eight thousand three hundred and twenty square miles more or less, being bounded on the south by the northerly limit of Treaty Nine; on the west by the easterly limits of Treaties Three and Five, and the boundary between the provinces of Ontario and Manitoba; on the north by the waters of Hudson Bay, and on the east by the waters of James Bay, and including all islands, islets and rocks, waters and land covered by water within the said limits;

the said treaty to release and surrender also all Indian rights and privileges whatsoever of the said Indians to all or any other lands wherever situated in Ontario, Quebec, Manitoba or the District of Keewatin or in any other portion of the Dominion of Canada."

That the said James Bay Treaty amongst other things provided for the laying aside of reserves for each band in the proportion of one square mile for each family of five or in that proportion for larger or smaller families, such reserves when confirmed to be held and administered by His Majesty for the benefit of the Indians free of all claims, liens or trusts by Ontario.

That adhesions to Treaty Number Nine, copy of which Adhesions is hereto annexed, marked Schedule "A", entered into between the said Commissioners and the Indians under the authority heretofore referred to, provide for the setting aside, through the said Commissioners, such reserves for each Band as is provided for by the said aforementioned Treaty at such places or locations as may be arranged between the said Commissioners and the Chiefs and Headmen of each Band.

That, by Ontario Statute, 1912, ch. 3, the Legislative Assembly of the Province of Ontario consented to recognize the rights of the Indian inhabitants in the territory added to and now included in the Province of Ontario by The Ontario Boundaries Extension Act, Statutes of Canada, 1912, Chapter 40.

That said Commissioners appointed to negotiate said extension of said James Bay Treaty Number 9, among other things, reported that,

"A band of Indians residing in the vicinity of Deer Lake within the territory included in Treaty No. 5, signed Adhesion to said Treaty on the 9th June, 1910, and under its conditions were assured a reserve in the proportion of 32 acres per capita. At this time the territory formed no part of the Province of Ontario, it being then part of the Northwest Territories. A final selection of the reserve had not been made and although the band in 1910 resided in the vicinity of Deer Lake and the members have since changed their abode and are now in larger numbers resident about Sandy Lake, situate within territory covered by the Commission under which the undersigned Commissioners are functioning.

In 1910 when this band was admitted they numbered 95, augmented in the year following by 78 Indians transferred from the Indian Lake band resident in Manitoba. These numbers have now increased to 332, and as the Island Lake Indians have been allotted their reserve and have had it duly surveyed on a basis excluding those transferred to the Deer Lake band, the latter are now entitled to a grant."

That the Deer Lake band of Indians desires that a reserve be set aside for said band.

That the places or locations for the reserve set aside for each band of Indians, whose Chiefs and Headmen in the years 1929 and 1930 signed the Adhesions to Treaty No. 9, have been arranged between said Commissioners and the Chiefs and Headmen of each respective band of Indians.

That the places or locations of said reserves so set aside and so arranged between the said Commissioners and the Chiefs and Headmen of each respective band of Indians are set forth in the Report of Commissioners re Adhesions to Treaty No. 9 for the year 1930, in which Report said Commissioners recommend:

- a. That the surrender made in the year 1905 by the Indians of such portion of the territory then in the Northwest Territories and now within the Province of Ontario be approved and confirmed.
- b. That the following reserves situated in the area referred to in the preceding paragraph(a) be approved and confirmed.
  1. Osnaburg, North side Albany river, 53 square miles.
  2. Fort Hope, 100 square miles.
  3. Marten Falls, 30 square miles
  4. Fort Albany, 140 square miles.



These reserves having been duly surveyed and plans of same filed some years ago.

- c. That all the new reserves hereinafter roughly described and shown coloured black on accompanying map (marked Schedule "B") be approved and confirmed.
- d. That any mining claims staked out and recorded, within any of the above mentioned unsurveyed reserves, subsequent to the date of the signing of the Adhesion covering the areas, shall in all respects be subject to the provisions of Ontario Statutes 1924, Cap. 15, 14 Geo. V, which defines and protects the rights of the Indians. "

The Minister, therefore, recommends the approval, ratification and confirmation of:

- 1. The surrenders, as far as may be necessary, made in the year 1905 by the Indians of such portions of the territory as at that time were within the limits of the Northwest Territories and now within the Province of Ontario by reason of The Ontario Boundaries Extension Act, Statutes of Canada, 1912, Ch. 40.
- 2. The Osnaburg (North side Albany river, 53 square miles), Fort Hope (100 square miles), Marten Falls (30 square miles) and Fort Albany Reserve (140 square miles) allotted to the Indians in pursuance of the surrenders made by them in the year 1905 under Treaty No. 9, at which time such reserves were within the limits of the Northwest Territories but now, under The Ontario Boundaries Extension Act, Statutes of Canada, 1912, Ch. 40, within the limits of the Province of Ontario.
- 3. The Treaty entitled Adhesions to Treaty No. 9 made by Messrs. Walter Charles Cain and Herbert Nathaniel Awrey, who were appointed to negotiate with the Ojibeway and other Indian inhabitants of the territory, referred to in page 1 hereof, for the cession by said Indians to the Crown on the terms embodied in said Treaty No. 9 of their rights, titles and privileges to the land included in the said territory.
- 4. The reserves mentioned in the report of the said Commissioners and duly selected by them under agreement with the representatives Chiefs and Headmen of each Band, such reserves being described and set out on Schedule "C" hereto attached; it being clearly understood however that the Government of Canada shall be responsible for the survey of these reserves and that plans and field notes of such shall be deposited in the Department of Lands and Forest for the Province and be duly approved by the Surveyor- General.

The Minister further recommends that any mining claims staked out and recorded within any of the above mentioned unsurveyed reserves subsequent to the date of the signing of the Adhesion covering the areas shall in all respects be subject to the provisions of Ontario Statutes, 1924, Chapter 15, which defines and protects the rights of the Indians

The Committee of Council concur in the recommendations of the Honourable the Minister of Lands and Forests, and advise that the same be acted on.

Certified,  
C. H. BULMER,  
Chief, Executive Council.

## **SCHEDULE "C"**

### **Reserves Approved and Confirmed FOR TROUT LAKE INDIANS**

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RESERVE 1, *Trout Lake*. Lying on the East and Southeast shore of Trout Lake where it empties into the Fawn river and on both sides thereof along the shore of said lake for  $3\frac{1}{2}$  miles more or less and back therefrom to a distance of approximately 12 miles, always, as far as possible, at a distance of  $3\frac{1}{2}$  miles from the shore on each side of the main channel of the said Fawn river, containing 85 square miles more or less. RESERVE 2, *Sachigo Lake*. Lying at the outlet of Sachigo lake where it empties into Sachigo river and extending on both sides thereof along the shore of the said lake  $1\frac{3}{4}$  miles more or less and back therefrom to a distance of approximately 4 miles, always, as far as possible, at a distance of  $1\frac{3}{4}$  miles from the shores on each side of the main channel of the said river, containing 14 square miles more or less. RESERVE 3, *Wunnumin Lake*. Lying at the southeast end of Wunnumin lake where it empties into the Winisk river,  $4\frac{1}{2}$  miles in frontage by 6 miles in depth, the area to be largely to the South side, the North boundary to be so extended as to include sufficient area on both sides of the river, containing 27 square miles more or less.

### **FOR CARIBOU LAKE INDIANS**

*Caribou Lake*. Lying on the South shore of Caribou lake, slightly to the left or Westerly end, so that sufficient frontage of a somewhat extended bay will be included, the dimensions to be approximately 8 miles long by 4.4 miles wide.

### **FOR DEER LAKE BAND**

*Sandy Lake Narrows*. Lying at the Narrows, being a stretch of water lying between Sandy Lake and Lake Co-pe-te-qua-yah, the reserve to comprise 10,624 acres, or approximately 17 square miles, to be laid out in a rectangle having a width, so far as possible, of at least 3 miles with sufficient depth to satisfy the acreage requirement.

### **FOR FORT SEVERN BAND**

*Fort Severn*. At the mouth of the Beaverstone river, where it joins the Severn River,  $1\frac{1}{2}$  miles frontage on each side of the Beaverstone river and back 5 miles more or less from the mouth, the said river being shown on map No. 20a, issued in 1926 by the Province of

Ontario, as "Beaverstone", although called "Castorum" by the Hudson's Bay Company and "We-ke-mow" by the Indians, containing 15 square miles more or less.

#### **FOR WINISK BAND**

*Winisk.* Situated at the old outpost of the Hudson's Bay Company up the Winisk river at its junction with what is known as the Asheweig river, the reserve to be so laid out as to comprise a width of 3 miles or 1½ miles on each side of the West branch of the Asheweig river where it empties into the Winisk, and to follow both sides of the said Asheweig river 5 miles, or such distances as will afford a total area of 17 square miles more or less.

#### **FOR ATTAWAPISKAT BAND**

*Attawapiskat.* Situated at the junction of the Little Eqwan river with the main Eqwan river, to start on the main Eqwan river at a point 4½ miles west of the said junction and to comprise a width of 6 miles, or 3 miles on each side of the river, and a depth down the river of approximately 17.4 miles, containing 104.4 square miles more or less. It being clearly understood that the Government of the Dominion is to be responsible for the survey of these reserves and that plans and field notes of the said reserves shall be deposited in the office of the Minister of Lands and Forests when such surveys have been made.

## **Appendix 11**

### **Robinson Treaty**

(taken from Indian and Northern Affairs Canada website [http://www.aic-inac.gc.ca/pr/trts/rbt2\\_e.html](http://www.aic-inac.gc.ca/pr/trts/rbt2_e.html))

**COPY OF THE ROBINSON TREATY  
Made in the Year 1850  
WITH THE OJIBEWA INDIANS  
OF LAKE HURON  
CONVEYING CERTAIN LANDS  
TO THE CROWN**

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OTTAWA, 1964

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***THIS AGREEMENT**, made and entered into this ninth day of September, in the year of our Lord one thousand eight hundred and fifty, at Sault Ste. Marie, in the Province of Canada, between the Honorable WILLIAM BENJAMIN ROBINSON, of the one part, on behalf of HER MAJESTY THE QUEEN, and SHINGUACOUSE NEBENAIGOCHING, KEOKOUSE, MISHEQUONGA, TAGAWININI, SHABOKISHICK, DOKIS, PONEKEOSH, WINDAWTEGOWININI, SHAWENAKESHICK, NAMASSIN, NAOQUAGABO, WABAKEKIK, KITCHEPOSSIGUN by PAPASAINSE, WAGEMAKI, PAMEQUONAISSHEUNG, Chiefs; and JOHN BELL, PAQWATCHININI, MASHEKYASH, IDOWEKESIS, WAQUACOMICK, OCHEEK, METIGOMIN, WATACHEWANA, MINWAWAPENASSE, SHENAOQUOM, ONINGEGUN, PANAISSY, PAPASAINSE, ASHEWASEGA, KAGESHEWAWETUNG, SHAWONEBIN; and also Chief MAISQUASO (also Chiefs MUCKATA, MISHOQUET, and MEKIS), and MISHOQUETTO and ASA WASWANAY and PAWISS, principal men of the OJIBEWA INDIANS, inhabiting and claiming the Eastern and Northern Shores of Lake Huron, from Penetanguishine to Sault Ste. Marie, and thence to Batchewanaung Bay, on the Northern Shore of Lake Superior; together with the Islands in the said Lakes, opposite to the Shores thereof, and inland to the Height of land which separates the Territory covered by the charter of the Honorable Hudson Bay Company from Canada; as well as all unconceded lands within the limits of Canada West to which they have any just claim, of the other part, witnesseth:*

THAT for, and in consideration of the sum of two thousand pounds of good and lawful money of Upper Canada, to them in hand paid, and for the further perpetual annuity of six hundred pounds of like money, the same to be paid and delivered to the said Chiefs

and their Tribes at a convenient season of each year, of which due notice will be given, at such places as may be appointed for that purpose, they the said Chiefs and Principal men, on behalf of their respective Tribes or Bands, do hereby fully, freely, and voluntarily surrender, cede, grant, and convey unto Her Majesty, her heirs and successors for ever, all their right, title, and interest to, and in the whole of, the territory above described, save and except the reservations set forth in the schedule hereunto annexed; which reservations shall be held and occupied by the said Chiefs and their Tribes in common, for their own use and benefit.

And should the said Chiefs and their respective Tribes at any time desire to dispose of any part of such reservations, or of any mineral or other valuable productions thereon, the same will be sold or leased at their request by the Superintendent-General of Indian Affairs for the time being, or other officer having authority so to do, for their sole benefit, and to the best advantage.

And the said William Benjamin Robinson of the first part, on behalf of Her Majesty and the Government of this Province, hereby promises and agrees to make, or cause to be made, the payments as before mentioned; and further to allow the said Chiefs and their Tribes the full and free privilege to hunt over the Territory now ceded by them, and to fish in the waters thereof, as they have heretofore been in the habit of doing; saving and excepting such portions of the said Territory as may from time to time be sold or leased to individuals or companies of individuals, and occupied by them with the consent of the Provincial Government.

The parties of the second part further promise and agree that they will not sell, lease, or otherwise dispose of any portion of their Reservations without the consent of the Superintendent-General of Indian Affairs, or other officer of like authority, being first had and obtained. Nor will they at any time hinder or prevent persons from exploring or searching for minerals, or other valuable productions, in any part of the Territory hereby ceded to Her Majesty, as before mentioned. The parties of the second part also agree, that in case the Government of this Province should before the date of this agreement have sold, or bargained to sell, any mining locations, or other property, on the portions of the Territory hereby reserved for their use; then and in that case such sale, or promise of sale, shall be perfected by the Government, if the parties claiming it shall have fulfilled all the conditions upon which such locations were made, and the amount accruing therefrom shall be paid to the Tribe to whom the Reservation belongs.

The said William Benjamin Robinson, on behalf of Her Majesty, who desires to deal liberally and justly with all her subjects, further promises and agrees, that should the Territory hereby ceded by the parties of the second part at any future period produce such an amount as will enable the Government of this Province, without incurring loss, to increase the annuity hereby secured to them, then and in that case the same shall be augmented from time to time, provided that the amount paid to each individual shall not exceed the sum of one pound Provincial Currency in any one year, or such further sum as Her Majesty may be graciously pleased to order; and provided further that the number of Indians entitled to the benefit of this treaty shall amount to two-thirds of their present

number, which is fourteen hundred and twenty-two, to entitle them to claim the full benefit thereof. And should they not at any future period amount to two-thirds of fourteen hundred and twenty-two, then the said annuity shall be diminished in proportion to their actual numbers.

The said William Benjamin Robinson of the first part further agrees, on the part of Her Majesty and the Government of this Province, that in consequence of the Indians inhabiting French River and Lake Nipissing having become parties to this treaty, the further sum of one hundred and sixty pounds Provincial Currency shall be paid in addition to the two thousand pounds above mentioned.

*Schedule of Reservations made by the above-named subscribing Chiefs  
and Principal Men.*

FIRST --Pamequonaishcung and his Band, a tract of land to commence seven miles, from the mouth of the River Maganetawang, and extending six miles east and west by three miles north.

SECOND --Wagemake and his Band, a tract of land to commence at a place called Nekickshegeshing, six miles from east to west, by three miles in depth.

THIRD--Kitcheposkissegan (by Papasainse), from Point Grondine westward, six miles inland, by two miles in front, so as to include the small Lake Nessinassung a tract for themselves and their Bands.

FOURTH--- Wabakekik, three miles front, near Shebawenaning, by five miles inland, for himself and Band.

FIFTH--Namassin and Naoquagabo and their Bands, a tract of land commencing near Qacloche, at the Hudson Bay Company's boundary; thence westerly to the mouth of Spanish River; then four miles up the south bank of said river, and across to the place of beginning.

SIXTH --Shawenakishick and his Band, a tract of land now occupied by them, and contained between two rivers, called Whitefish River, and Wanabitaseke, seven miles inland.

SEVENTH --Windawtegawinini and his Band, the Peninsula east of Serpent River, and formed by it, now occupied by them.

EIGHTH --Ponekeosh and his Band, the land contained between the River Mississaga and the River Penebewabecong, up to the first rapids.

NINTH --Dokis and his Band, three miles square at Wanabeyakokaun, near Lake Nipissing and the island near the Fall of Okickandawt.



TENTH --Shabokishick and his Band, from their present planting grounds on Lake Nipissing to the Hudson Bay Company's post, six miles in depth.

ELEVENTH --Tagawinini and his Band, two miles square at Wanabitibing, a place about forty miles inland, near Lake Nipissing.

TWELFTH -- Keokouse and his Band, four miles front from Thessalon River eastward, by four miles inland.

THIRTEENTH -- Mishequanga and his Band, two miles on the lake shore east and west of Ogawaminang, by one mile inland.

FOURTEENTH -- For Shinguacouse and his Band, a tract of land extending from Maskinongé Bay, inclusive, to Partridge Point, above Garden River on the front, and inland ten miles, throughout the whole distance; and also Squirrel Island.

FIFTEENTH -- For Nebenaigoching and his Band, a tract of land extending from Wanabekineyunnung west of Gros Cap to the boundary of the lands ceded by the Chiefs of Lake Superior, and inland ten miles throughout the whole distance, including Batchewanaung Bay; and also the small island at Sault Ste. Marie used by them as a fishing station.

SIXTEENTH -- For Chief Mekis and his Band, residing at Wasaquesing (Sandy Island), a tract of land at a place on the main shore opposite the Island; being the place now occupied by them for residence and cultivation, four miles square.

SEVENTEENTH -- For Chief Muckatamishaquet and his Band, a tract of land on the east side of the River Naishconteong, near Pointe aux Barils, three miles square; and also a small tract in Washauwenega Bay -- now occupied by a part of the Band -- three miles square.

Signed, sealed, and delivered at Sault  
Ste. Marie, the day and year first  
above written, in presence of—

(Signed)

W. B. ROBINSON,

(Signed)

ASTLEY P. COOPER,  
*Capt. Rifle Brig.*

GEORGE IRONSIDE,  
*S. I. Affairs.*

F. W. BALFOUR,  
*Lieut. Rifle Brig.*

ALLAN MACDONELL.

GEO. JOHNSTON,  
*Interpreter.*

LUIS CADOTT.

J. B. ASSKINACK.

T. W. KEATING.

JOS. WILSON.

SHINGTACOUSE,	his + mark.	[L. S.]
NERENAGOUING,	his + mark.	[L. S.]
KEOKOUSE,	his + mark.	[L. S.]
MISHEQUONGA,	his + mark.	[L. S.]
TAGAWININI,	his + mark.	[L. S.]
SHABOKESHICK,	his + mark.	[L. S.]
DOKIS,	his + mark.	[L. S.]
PONEKEOSH,	his + mark.	[L. S.]
WINDAWEGOWININI,	his + mark.	[L. S.]
SHAWENAKESHICK,	his + mark.	[L. S.]
NAMASSIN,	his + mark.	[L. S.]
MUCKATA MISHAQUET,	his + mark.	[L. S.]
MEKIS,	his + mark.	[L. S.]
MAISQUASO,	his + mark.	[L. S.]
NAOQUAGABO,	his + mark.	[L. S.]
WAROKERICK,	his + mark.	[L. S.]
KITCHEPESSEGYN, (by Papasutuse)	his + mark.	[L. S.]
WAGOMANY,	his + mark.	[L. S.]

PAMEQUONAISHCUNG,	his + mark.	[L. S.]
JOHN BELL,	his + mark.	[L. S.]
PAQWATCHININI,	his + mark.	[L. S.]
MABHEKTASH,	his + mark.	[L. S.]
IDOWEKESIS,	his + mark.	[L. S.]
WAQUAUCOMICK,	his + mark.	[L. S.]
MISHOQUETTO,	his + mark.	[L. S.]
ASA WASWANAY,	his + mark.	[L. S.]
PAWISS,	his + mark.	[L. S.]
OCHEEK,	his + mark.	[L. S.]
METIGOMIN,	his + mark.	[L. S.]
WATACHEWANA,	his + mark.	[L. S.]
MIMEWAWAPENASSE,	his + mark.	[L. S.]
SHENAOQUM,	his + mark.	[L. S.]
ONINGEGUN,	his + mark.	[L. S.]
PANAISSE,	his + mark.	[L. S.]
PATASAINSE,	his + mark.	[L. S.]
ASHIEWASKGA,	his + mark.	[L. S.]
KAGISHEWAWETUNG, (by Baboncung)	his + mark.	[L. S.]
} SHAWONEDIN,		his + mark. [L. S.]

Witness to signatures of Muckata Mishaquet, Mekis, Mishaquette,

Asa Waswanay, and Pawiss—

T. G. ANDERSON, S. I. A.

W. B. HAMILTON,

W. SIMPSON,

ALFRED A. THOMPSON.