

• FREQUENTLY ASKED QUESTIONS •

Structure at Pond Lake

When were Métis harvesting rights recognized in Ontario?

The 2003 Supreme Court decision in *R. v. Powley* confirmed the existence of a rights-bearing Métis community in Ontario. It began the work of reconciliation by recognizing Métis harvesting rights. With the signing of the Interim Métis Harvesting Agreement in 2004, those Métis harvesting rights were formally recognized in Ontario.

Q: What is the MNO-Ontario Harvesting Framework Agreement?

The MNO-Ontario Harvesting Agreement is a 2018 agreement between Ontario and the MNO that recognizes Métis-created laws and systems, including the legitimacy of the MNO Harvesting Policy and Harvesters Cards. It requires the Ontario Ministry of Natural Resources and Forestry (MNRF) to treat MNO Harvesters Card holders the same as First Nation harvesters for enforcement purposes.

What are incidental cabins?

Incidental cabins are structures that are allowed under harvesting rights for rights-bearing Indigenous communities. They must be for community use as part of collectively held Aboriginal rights. Whether an incidental cabin is a part of an Indigenous community's custom and traditions, and whether it is authorized by the Indigenous community in question, is a distinct issue from the existence of an Indigenous community and their harvesting rights.

What is the MNO's position on the structure at Pond Lake?

The MNO does not recognize the structure at Pond Lake as an incidental cabin and states that it was built without collective authorization from the Métis community or adherence to MNO's processes.

Why is the MNO seeking to be added to litigation brought by Temagami First Nation regarding the cabin at Pond Lake?

The MNO seeks to protect and defend the MNO-Ontario Harvesting Framework Agreement, not the unauthorized cabin, and to ensure the collective rights and interests of the Métis community are protected.

Why does the Regional Consultation Committee not recognize the cabin near Pond Lake?

The RCC does not recognize the cabin because the harvester did not follow the appropriate procedure for obtaining Métis community authorization or support, and the cabin does not meet the requirements for an incidental cabin because it is not for communal use.

What was the outcome of the internal investigation by the MNO regarding the cabin at Pond Lake?

The investigation found that no authorization was obtained by the Harvester for the cabin, the RCC was unaware of the cabin’s construction until recently, and the RCC did not authorize the cabin’s construction or use.

