The
IMPORTANCE OF THE DUTY TO CONSULT & ACCOMMODATE

Fort William First Nation

"As First Nations people, we are the protectors of the land. We uphold our responsibilities for our traditional territories for all future generations. We have never given up our inherent rights and entitlements which supersede any legislative law."

CHIEF PETER COLLINS
FORT WILLIAM FIRST NATION

Contents

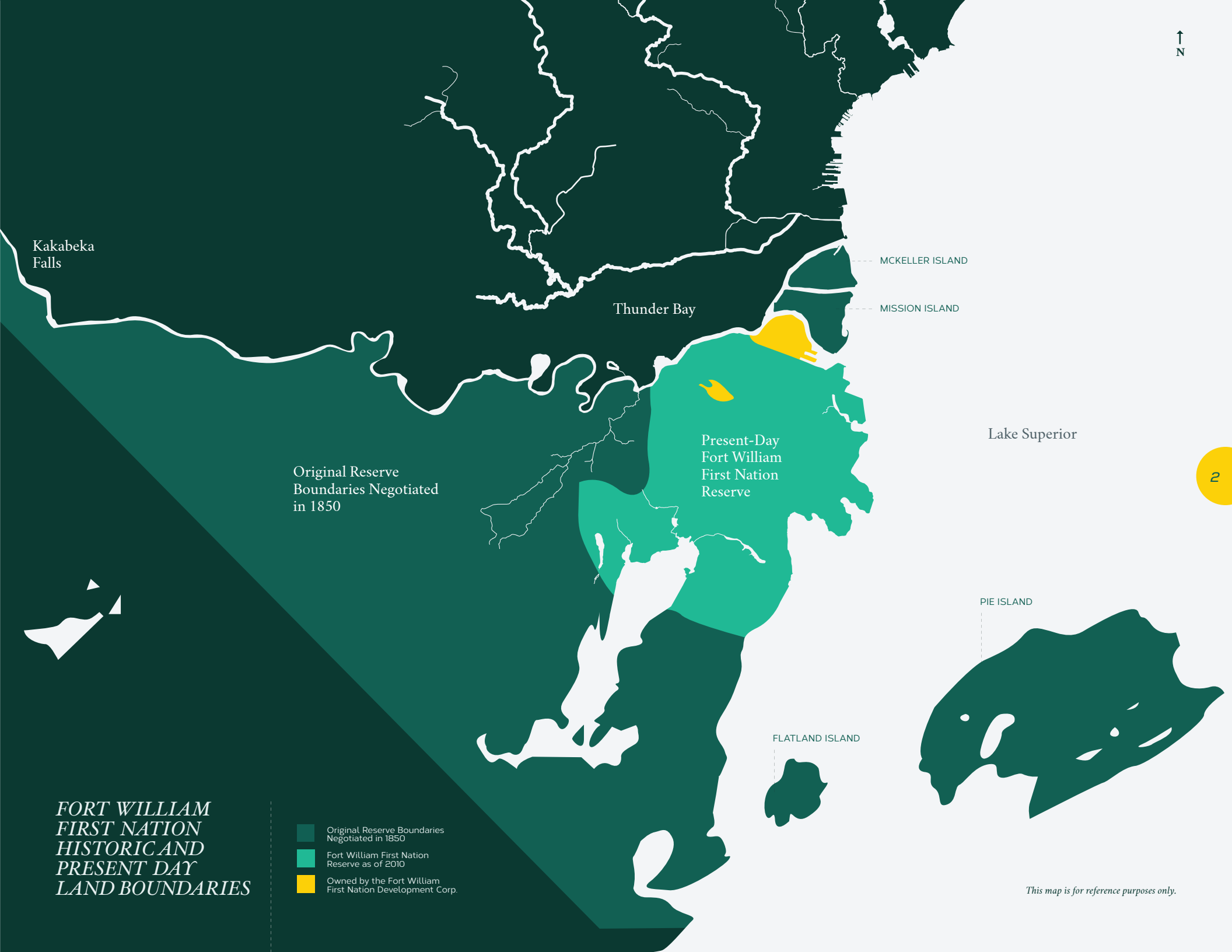
INTRODUCTION

The Anishinaabe Nation are the Indigenous people who've lived in and around Northwestern Ontario for thousands of years. An immense legacy of traditional knowledge, cultural beliefs, values, practices and language has been conveyed by Elders and is constantly changing and adapting for the benefit of future generations.

As one of the original signatories to the Robinson-Superior Treaty of 1850, Fort William First Nation's land extends the north shore of Lake Superior to the height of land separating the Great Lakes watershed from the Arctic watershed. Under provisions of the Robinson-Superior Treaty, the Fort William Reserve was created in 1853. Today, almost 2,200 members live on or off reserve with governance by an elected Chief and Council.

Fort William First Nation is located at the geographical centre of North America, adjacent to the City of Thunder Bay. The area is a vital gateway to the north, all of Canada and the American Midwest. Fort William First Nation is well positioned to drive diverse First Nation economic development with excellent access to regional commercial, transportation, medical, communications and education facilities.

The Thunder Bay International Airport, the fifth busiest airport in Ontario, is a ten-minute drive from Fort William First Nation. The Trans-Canada Highway runs through Thunder Bay accommodating a large volume of Trans-Canada traffic. Port facilities on Lake Superior at the head of the Great Lakes and St. Lawrence Seaway system handle all types of cargoes and are served by the Canadian National and Canadian Pacific Railways, and major trucking companies.


N
Kakabeka Falls
Thunder Bay
MCKELLER ISLAND
MISSION ISLAND
Lake Superior
Present-Day Fort William First Nation Reserve
Original Reserve Boundaries Negotiated in 1850
PIE ISLAND
FLATLAND ISLAND
FORT WILLIAM FIRST NATION HISTORIC AND PRESENT DAY LAND BOUNDARIES
Original Reserve Boundaries Negotiated in 1850
Fort William First Nation Reserve as of 2010
Owned by the Fort William First Nation Development Corp.
This map is for reference purposes only.

ABORIGINAL CONSULTATION AND ACCOMMODATION

Understanding the history of Aboriginal people, adhering to the duty to consult, building respectful relationships, strengthening community engagement, conducting meaningful consultations, negotiations and agreements in solid business structures help build equitable, positive and mutually beneficial sustainable relationships between Aboriginal communities and project proponents.

HISTORICAL OVERVIEW

In November 2007, the Canadian government announced a federal Action Plan to address issues of Aboriginal consultation and accommodation. The Consultation and Accommodation Unit was established within Aboriginal Affairs and Northern Development Canada (AANDC) in early 2008 to implement the Action Plan. In more recent decisions, the Court explained that: the duty to consult is a constitutional duty; applies in the context of modern treaties; officials must look at treaty provisions first; and where treaty consultation provisions do not apply to a proposed activity, a "parallel" duty to consult exists. The Court has also clarified, that depending on their mandate, entities such as boards and tribunals may also play a role in fulfilling the duty to consult; that high level strategic decisions may now trigger the duty to consult; and, that the duty applies to current and future activities and not historical infringements.

In December 2015, the Truth and Reconciliation Commission's "Calls to Action" asked "the corporate sector to adopt the United Nations Declaration on the Rights of Indigenous Peoples as a reconciliation framework and to apply its principles, norms, and standards to corporate policy and core operational activities involving Indigenous peoples and their lands and resources".

WHAT THE DUTY TO CONSULT AND ACCOMMODATE MEANS

The legal duty to consult and accommodate with Aboriginal peoples in Canada arises when the Crown contemplates actions or decisions that may adversely impact an Aboriginal person's constitutionally protected Treaty rights. Obtaining the prior and informed consent of Aboriginal people before proceeding with economic development projects arises most often in the context of natural resource extraction such as mining, forestry, oil, and gas when Crown land decisions may adversely impact First Nations' treaty rights. Activities include Impact Benefit Agreements in mapping traditional land to full equity partnerships on multi-million dollar projects. While the duty to consult ultimately lies with the federal or provincial Crown, the Supreme Court of Canada has stated that a Crown can delegate some matters of consultation to private parties, such as industry stakeholders.

DEVELOPMENT ON FORT WILLIAM FIRST NATION TRADITIONAL TERRITORY

Fort William First Nation has treaty rights over the whole area of the Robinson-Superior Treaty area, from the north shore of Lake Superior to the height of land separating the Great Lakes watershed from the Arctic watershed.

In most cases the duty to consult is obligatory when the proposed activity occurs in Fort William First Nation traditional territory. An engaged consultation process with assurance that relevant studies are conducted prior to exploration work and development is critical to managing the impact of resource projects and realizing the benefits.

ATTRACTING AND RETAINING ECONOMIC DEVELOPMENT TO FORT WILLIAM FIRST NATION

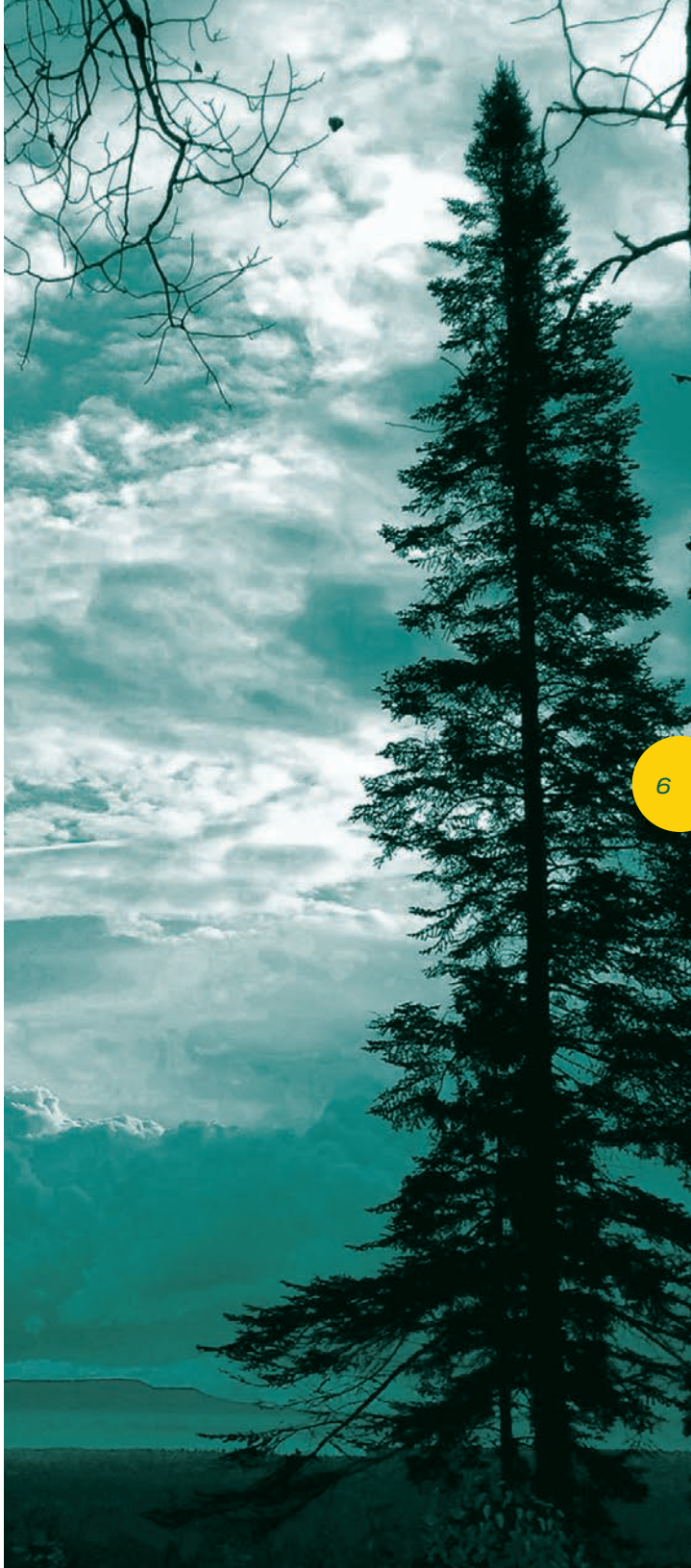
Fort William First Nation is committed to continuing robust, respectful and diversified growth and development to build capacity, create jobs, strengthen infrastructure and improve quality of life. FWFN's Five-Year Economic Development Plan 2014-2019, is a multi-phased project to strategically improve FWFN's economic stability and future well being by building strong partnerships with multiple levels of government and private enterprise.

KEY ACCOMPLISHMENTS ON FORT WILLIAM FIRST NATION TRADITIONAL LANDS

- FWFN built and leases three office buildings. The main tenant of the largest building is Public Works Canada (sub-leased to Indian and Northern Affairs Canada Regional Office). The head office of Wasaya Airways, the Royal Bank of Canada and the Union of Ontario Indians are in a second building. The third building is leased to Dilico Anishinaabek Family Care as its main site.
- The FWFN Arena's two rinks and fitness centre are utilized by First Nation and non-Aboriginal hockey teams.
- The FWFN Community Centre & Board Room is used for recreation, education and training for all ages. There are licensed banquet facilities for 700.
- In July 1999 through a transfer of title with Canadian National Railway, FWFN regained 1,100 acres of industrial land originally expropriated in 1905 by the Grand Trunk Pacific Railway. FWFN constructed an $18 million building that was leased to Abitibi Bowater to house its $60 million in state-of-the-art sawmill equipment. First Nation members were employed during the construction phase and afterwards. About 600 acres of the land remains vacant with parcels leased to Canadian National Railways for its tracks and a rail/ship (Lake Superior) transfer facility, Coastal Steel Construction Ltd, Sterling Pulp Chemicals Ltd, McAsphalt Industries Ltd and a number of other corporations.
- Fort William First Nation's Solar Park is one of the first utility-scale solar parks to be developed on Indigenous peoples' lands. In February 2010, FWFN signed an agreement with the Canadian company, SkyPower Limited for the development of a solar park located on approximately 88 acres of land near the First Nation. Completed in 2010, the development hosts an estimated 45,000 solar panels which will generate enough clean energy over 20 years to power approximately 17,000 average homes for one year. The project contributes significantly to FWFN through the creation of hundreds of local jobs and direct and indirect economic benefits.
- In 2015, a $3 million project for the Mission Road Rehabilitation and Resurfacing Project for infrastructure improvements to the road, ditches, culvers and walkways on 3.1 km of Mission Road from FWFN Arena to City Road was completed.
- In June 2015, the Fort William First Nation celebrated the grand opening of the revitalized Pow Wow Grounds

on Anemki Wajiw. The improvements included the construction of a Pow Wow Circle, bleachers, an MC stand, Elders area and a sheltered area. FWFN's Joint Venture Partnership firm, Oshki-Aki LP led the initiative to manage the concept, design and construction. Oshki-Aki LP was established to assist the community of FWFN in building capacity by providing engineering services both on and off reserve, and throughout Ontario. 100% of the profit from the Joint Venture goes back to the community. Oshki-Aki LP creates employment opportunities for community members while also building important work and technical skills.

- 10 design build rental homes designated for low-income families who require assistance have been built in pre-selected lots on Fort William First Nation. Affordable rent will be provided as a temporary transition homes.
- Eight homes for the FWFN and Oshki-Aski LP partnership for the development of a 21-unit subdivision on a 4.6 hectares location on Little Lake Road will be completed in fall 2016.
- FWFN has been engaged in preliminary discussions for alternative energy production (bio-fuels, hydro, solar, wind) with Thunder Bay Hydro and also with private corporations.



EARLY PEOPLE OF KITCHIGAMI (LAKE SUPERIOR)

For thousands of years, past generations lived at the western end of Lake Superior, the strategic centre of the continent. It was the doorway to the west; the famous "Great Carrying Place" or Gichionigaming on the Pigeon River. It also provided easy access to the watershed between the Great Lakes and the Arctic "The Height of Land".

The Ojibway people inhabiting Kitchigami were part of a large cultural group known as the Anishnabek, meaning "first or original people". The Anishnabek had their own forms of governance, healthcare, spirituality, resource use, social structures, and education.

Ojibway originates from "o-jib-i-weg", the people who make pictographs. Other than the extensive oral tradition, the use of written symbols in pictographs and birch bark scrolls were the way the Midewiwin, or Grand Medicine Society passed on knowledge between generations.

The Ojibwa worldview focused on the spiritual and fundamental life force, The Great Spirit who was everywhere and inhabited the natural world with numerous spirits both good and evil. The people were the guardians of the natural world. The Shamans of the Midewiwin Society were the intermediaries between the natural world and the spirit world and functioned as healers, prophets, diviners and custodians at ceremonies.

Indigenous people had independent and politically autonomous bands that shared culture, common traditions and often intermarried. Each band was led by a Chief and organized in "dodems", totemic family clans signified by real or mythological animals. An individual's dodem identified where they belonged, whom they could marry and what hunting grounds they could use. Alliances between dodems were necessary for survival and often extended over wide ranging territories.

Life was closely tied to seasonal activities. The traditional Ojibwe calendar year follows a 13 moon lunar cycle. The names of each moon are influenced by nature, human activities and cultural practices.

The Ojibwa subsisted by living off the land by hunting, fishing and gathering. Dodems would disperse in hunting groups for the winter, reforming as a band in late-spring or early-summer for fishing; preparation and storage of food; the construction of shelter and clothing; trading, marriage; cementing alliances and ceremonies. Nee-bing, the present day Fort William Reserve, was the location of the summer gatherings.

The raw materials quarried for copper tools and weapons made by the Indigenous people of Lake Superior were traded far and wide. As a testament to sophisticated long distance trade, copper artifacts have been found as far east as the St. Lawrence River, as far west as the Rocky Mountains, as far north as the Arctic, and as far south as Louisiana.

GLOSSARY

Kitchigami:
Lake Superior

Anishinabek Gitchi Gami (from Anishinaabeg Gichigami):
The people of 'Lake Superior'

Ojibiweg:
The people who make pictographs

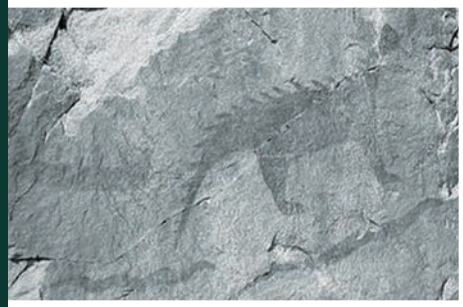
Nee-bing:
Summer grounds. Present day Fort William First Nation

Gichi-onigaming:
The Great Carrying Place. Present day Grand Portage

Midewiwin Society:
Grand Medicine Society

Dodems or Doodem:
Totemic family clans signified by real or mythological animals

Manoomin:
Wild Rice



"Mishibizhiw" the underwater panther with two snakes and a canoe. Lake Superior Provincial Park.

HISTORICAL TIMECHART FOR THE PEOPLE OF LAKE SUPERIOR

Pre-Contact

9,500 BP TO 3000 B.P

Aboriginal peoples of diverse cultural traditions occupy the Lake Superior region beginning in the Paleo-Indian period during the final glacial episodes of the late Pleistocene period around 9,500 BP (Before Present), extending into the Archaic period (between 5000 B.P. to 3000 B.P) and Woodland period. Wild rice (manoomin) is part of the Ojibwe migration story. Legends tell of the people coming from the east to Lake Superior for the "food that grows on the water".

Nomadic hunter-gatherers live in small groups, moving in keeping with the seasonal availability of fish, game, wild grains, and other food sources. An ethic of generosity, reciprocity and redistribution is universal among Aboriginals. Rocks and minerals are quarried and used for tools, weapons and decorative objects. Using little more than stone hammers and hatchets, enough copper was extracted to support a sophisticated trading network that spread over much of the continent.

NATIONAL HISTORIC SITE OF CANADA

On February 26, 2016, a Historic Sites and Monuments Board of Canada plaque to commemorate the national historical importance of the Cummins Pre-Contact Site was unveiled outside of Thunder Bay. The site provides an archaeological representation of an area used by Indigenous people as a major quarry, workshop and habitation area with a rich source of raw materials, particularly taconite stone, used in the creation of tools. Like many sites in the area, it was was located near water supplies, it was along caribou migration routes and it provided access to fish, small game, and waterfowl.

MANOOMIN, TRADITIONAL WILD RICE

The only grain indigenous to North America, manoomin is highly nutritious and gluten-free. Traditionally, it is the first solid food given to a baby and one of the last foods served to Elders as they pass into the Spirit world. Manoomin is harvested during Manoominike Giizis, the wild rice-making moon in August when the "food that grows on the water" comes home to the people.

1600s First Contact and Co-existence

1650s

The search for the Northwest Passage, the sea route connecting the northern Atlantic and Pacific Oceans through the Arctic Ocean, is a focus of extensive exploration. The first French explorers, traders and Jesuit missionaries are told by Indigenous peoples in the east that there is a route to the west at Gichi-onigaming or the Great Carrying Place (present day Grand Portage). The explorers approach Kitchigami, the great inland sea by way of the Ottawa River and Lake Huron. They refer to their discovery as le lac supérieur.

1671

A Peace and Friendship Treaty is signed by 14 Chippewa tribes from the upper Great Lakes invited to a grand council in the name of France's Sun King, Louis XIV by Louis de Buade de Frontenac, the Governor General of New France. The Treaty establishes community bonds between the Ojibwe and the French settlers. With the cultural differences in land use, the Ojibwe understand that the land is a fully shared resource while the French are intent upon ownership for territorial advantages.

1676

Many of the European traders and woodsmen, especially the unlicenced "woodrunners" or coureurs de bois, now spend much of their time in the western interior. Their children with First Nations women become the Métis.

1679

The first trading post, Fort Camanitigoya is established on the Kaministiquia River at Baie Du Tonnere (present day Thunder Bay). It is founded by Daniel Greyselon Sieur de L'Hut, a French explorer searching for the Northwest Passage. Soon after, the trading post, Fort Charlotte (present day Grand Portage) is established near the mouth of the Pigeon River on Lake Superior.

1690

Fighting between Britain and France spreads to North America. Conflicts between First Nations tribes prevail. For many years, the French and British allied with First Nations, raid each other's forts, trading posts, farms and settlements. The conflicts and alliances have significant and wide-ranging impacts on boundaries, trade and way of life.

In the mid-1700s, on the western shores of Lake Superior, warfare ensued between the Sioux and Chippewa (early ancestors of the Ojibwe). Gradually, the Chippewa forced the Sioux westward to the prairies and gained sole control over trade on the western end of Lake Superior.

THE TRAPPING TRADITION

Before contact, trapping was an integral part of the Indigenous way of life, providing food, clothing and shelter. European fur traders relied on the First Nations to trap and skin the animals and bring them to the trading depots where the trappers traded them for raw materials and finished goods. Eventually, to satisfy this economy, trapping became an end in itself, with extensive trapping putting some species in jeopardy.

THE LEGEND OF THE GREEN MANTLE

According to legend, Ojibwe Chief White Bear's daughter protected their people from an imminent attack from the enemy Sioux with an ingenious plan. Green Mantle entered the Sioux camp on the Kaministiquia River pretending to be lost. Bargaining for her life, she told the Sioux that she'd bring them to her father's camp. Leading a chain of connected canoes, Green Mantle led the warriors over Kakabeka Falls to their deaths. The brave girl lost her life but her tribe was saved. The legend says that the figure of Green Mantle can be seen in the mist of Kakabeka Falls as a monument to the maiden that gave her life to save her people.

1700s

1713

France and Britain divide the claims of North America, ignoring the rights of the Native Peoples.

1763

The Royal Proclamation issued by King George III sets out guidelines for European settlement of Aboriginal territories in what is now North America. The document states that only the British Crown or its representative governments are allowed to obtain land from the First Nations through the process of treaties.

1779

The North West Company, a major force in the fur trade is founded by Highland Scots in Montreal. The company's partnerships stand in opposition to the interests of the Hudson Bay Company, a formidable chartered company formed by King Charles II. The Northwest Company depends of the experience and knowledge of French coureurs de bois.

1783

The Treaty of Paris demarcates the international boundary between the British Colony and the USA.

1794

The Jay Treaty gives the Americans possession of the land south of the Pigeon River including Grand Portage and Isle Royale. The Lake Superior Chippewa are now divided between the two countries; the British Colony and USA.

1798

The Chippewa of Grand Portage and Kitchigami sell a 120 square mile tract of land by deed to the North West Company. The tract extends from the mouth to Kitchigmami, inland along the Kaministiquia River up 12 miles to the "First Carrying Place" (present day Kakabeka Falls). This transaction is contrary to the Royal Proclamation and is not confirmed by the Crown.

FORT CHARLOTTE AND FORT WILLIAM FIRST NATION

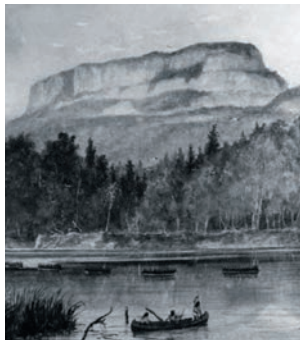
Strategically located along the Pigeon River before it flows into Lake Superior, Gichi-onigaming (the Great Carrying Place) was an important water transportation route for the Ojibway between the winter hunting grounds to the summer homes. In the mid-18th century, Fort Charlotte (present day Grand Portage) was built as a permanent trading depot for coureurs de bois from the rich fur-bearing country in the North and the traders from Montreal and ports in the East. European trade goods from Montreal including rum, guns, provisions, and other precious items were exchanged for furs. Beaver was the most popular, but otter, wolf, bear, fox, fisher, mink, marten and muskrat were also valued.

The North West Company, the XY Company and independent traders were stationed at the fort with over 500 people coming and going throughout the seasons. Many ancestors of Fort William First Nation were involved in establishing and running of this largest fur trade centre on the continent.

1800s Treaties and Reserves

1804

The settling of the Canada-US boundary leaves Fort Charlotte in American territory and the post is abandoned in late 1802. The North West Company moves its main inland headquarters from Grand Portage to Fort William on Kitchigami. The new post is named Fort William after William McGillivray, a director of the North West Company from 1804-1821. The western Lake Superior Chippewa are now known as the Fort William Indians.



TRADITIONAL LANDS OF THE FORT WILLIAM INDIANS

Beginning in 1804, the Western Lake Superior Chippewa are known as the Fort William Indians and led by the powerful Chief Joseph Peau de Chat, who was one of the best hunters in the district.

The people lived on the western shore of Lake Superior, on the islands and in the interior around Dog Lake. The winter hunting and trapping grounds extended to west to Lake Nipigon, north to what is now Wabakimi Park, and south along the border to Lac des Milles Lacs. The "Grand Fishery" grounds extended from the Pigeon River including Isle Royale and Pie Island, Sturgeon Bay, Thunder Bay, Ignace Island up to Nipigon Bay. Other Ojibway including the Lake Nipigon Ojibway and those near Lake of the Woods and Lac Seul also used these lands and waters.

Today, this area is where three treaty boundaries and the height of land converge: the Robinson Superior Treaty of 1850, Treaty No. 3 of 1873 (Lake of the Woods) and Treaty No. 9 of 1905 (James Bay Treaty).

Cary, 1807, Showing Routes going into Lake Superior.

THE ESTABLISHMENT OF THE FORT WILLIAM TRADING POST

In 1807, the Fort William trading post is built on the Kaministiquia River when Fort Charlotte is abandoned. The new trade route is more arduous than Grand Portage, requiring a portage of Kakabeka Falls and a demanding haul over the height of land to the Savanne River. Beginning with the union of the North West Company with the Hudson's Bay Company in 1821, Fort William's importance dwindled with over-exploitation, the decline of markets, and trade shifting to York Factory on Hudson Bay. In the 1880s, a Canadian Pacific Railway track and coal pile development is built over the original site. In 1973, a replica of the Fort William trading post is officially opened upstream on the Kaministiquia River at the former military staging location, Point de Meuron.

Vidal & Anderson's Sketch Plan of the Hunting Grounds of Lake Superior Ojibway- 1849

Source: University of Western Ontario; History Collection: Vidal Family Papers; Box 4437 (Diaries & Journals)

1800s Treaties and Reserves

1804

The North West Company takes over the XY Company.

1821

The North West Company and the Hudson's Bay Company form a coalition using the foundation of the name, charter and privileges of the old Hudson's Bay Company with the Nor'Westers' skills and experience. Trade shifts to York Factory on Hudson Bay.

1848

A permanent Jesuit Mission, Mission de l'Immaculée Conception is founded opposite Fort William's summer gathering place, Nee-bing on the Kaministiquia River (present day Fort William First Nation). The Mission becomes the most vigorous religious institution on Kitchigami with a church, priests' residence, convent school, an orphanage, cemetery and farms. The Fort William Indians work and farm the land until the land is expropriated in 1905. Many of the Fort Williams Indians who lived on the shore of Kichigami become Christians by the mid-19th century.

THE JESUIT ORDER

The legacy of the Jesuit order that founded Mission de l'Immaculée Conception was significant on many levels. Renowned as explorers, linguists, and ethnographers, the Jesuits came to North America as part of the colonial drive. Comparatively respectful of the traditional way of life, they learned the language and customs, developed dictionaries, and translated and preserved much of the history and traditions in their documents. The Jesuits recorded the day-to-day events of the Mission and visits with the Ojibway in the interior and along the shore of Kitchigami. Father Choné, Father Frémiot, and Father Du Ranquet offered advice for some of the pivotal decisions of the Fort William Indians such as the development of the Robinson Treaty in 1850.

MID-1800s

Commercial explorers have a frenzied interest in natural resources such as copper and timber. Hundreds of mining claims are staked and trees cut down on traditional lands. No treaties are made with the Indians of Kitchigami and Lake Huron.

1841

The government's Geological Survey is established to map the geology of the country.

FIRST NATIONS' CONNECTION TO THE LAND

First Nations believe that humans, along with all other living beings, belong to the land. The land provides, and in turn, humans have a responsibility to respect and care for it. During the 16th and 17th centuries, European explorers depended on First Nations knowledge and skills to adapt and survive in the new environment. However, many Europeans held a strident worldview with the concepts of private property ownership and land ownership as a step towards "civilization."

In the mid-1800s, Canada began to develop a series of land surrender treaties that set out agreements of the nature and limits of First Nations rights and title. Crown representatives interpreted the signed treaties as a "blanket extinguishment" of Aboriginal title. However, because of language and cultural differences when the treaties were negotiated, First Nations signatories did not understand the treaties as limiting or extinguishing their title. Canada and First Nations are continuing to negotiate treaty land entitlements and settlements.

The Jesuit Mission on the Fort William Reserve.

1848

A delegation of Kitchigami Ojibway leaders including Chief Shingwakonce (Garden River) and Chief Nebenagoching (Batchawana) travel to Montreal to petition the Crown to respect Indian rights because the government had issued mining permits on untreatied lands. To delay any decision, two commissioners, Alexander Vidal (surveyor) and Capt. T. G. Anderson (Indian agent) are appointed by the government to conduct investigations from Fort William to Penetanguishene.

1848

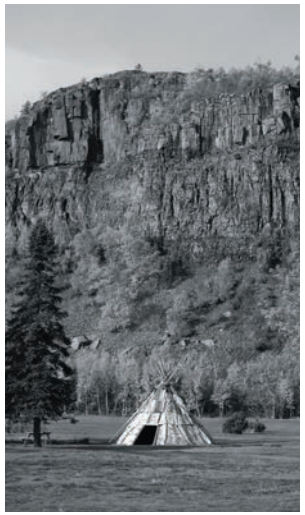
In August, the commissioners hold a general council in Sault Ste. Marie attended by many Ojibway Chiefs including Chief Joseph La Peau de Chat from Fort William. Lengthy discussions result in the a recommendation that a treaty be made to extinguish the Indian right and a grant be made to "the Aborigines of an equitable remuneration for the whole country, which as far as the natives are concerned would be most to their benefit in a perpetual annuity, making such reserves to the Indians as may be necessary for them to cultivate hereafter." Thus began the treaty process on Kitchigami.

"You ask how we posses this land. Now it is well known that 4,000 years ago when we first were created, all spoke one language. Since then, a change has taken place, and we speak different languages. You White People well know, and we Red Skins know how we came in possession of this land – it was the Great Spirit who gave it to us. From the time my ancestors came upon this earth it has been considered ours. After a time, the Whites living on the other side of the Great Salt Lake, found this part of the world inhabited by the Red Skins. The Whites asked us Indians, when there were many animals here – would you not sell the skins of these various animals for the goods I bring? Our old ancestors said yes. I will bring your goods. They the Whites did not say anything more, nor did the Indian say anything. I did not know that he said, "Come I will buy your land, everything that is on it, and under it." The White said nothing about that to me, and, this the reason why I believe that we posses this land up to this day."

Chief Joseph La Peau De Chat, Fort William to Indian Superintendent Thomas G. Anderson, 1848

1849

In September, Commissioners Alexander Vidal, the Deputy Provincial Surveyor and Thomas G. Anderson meet with the Chiefs and representatives from 16 of 22 identified Anishinaabe communities in the Lake Huron and Kitchigami regions.



INLAND AND COASTAL FORT WILLIAM INDIANS

Everywhere the Commissioners went on Lake Superior, Lake Nipigon, Michipicoten and Fort William, they failed to consider the relationship of the inland Indians to the coastal tribes. The Fort William inland Indians only came to the shores seasonally from Dog Lake, Lac des Milles Lacs, Sturgeon Lake and Lake Nipigon. The interior Indians were referred to as "the pagan branch" in the late 19th century. As well, about 35 families of Fort William Indians settled around Dog Lake and formed their own band. They also lived along the railway line near Savanne and Raith.The Dog Lake Branch disbanded in 1932 and joined Fort William First Nation.

Thompson, 1813, A circle route: Lake Superior via Grand Portage to Lac La Croix and from Kaministiquia River via Dog Lake, to Lac La Croix.

1800s Treaties and Reserves

1849

In the fall, opposing mining activities, a band of Indians and Métis occupy a Quebec Mining Company site operating at Mica Bay, on the northeast shore of Kitchigami. Chief Shingwakonce, Chief Nebenagoching and others are arrested and sent to trial in Toronto.

1850

On September 7, Fort William First Nation is a signatory to the Robinson-Superior Treaty (No.60).

1852

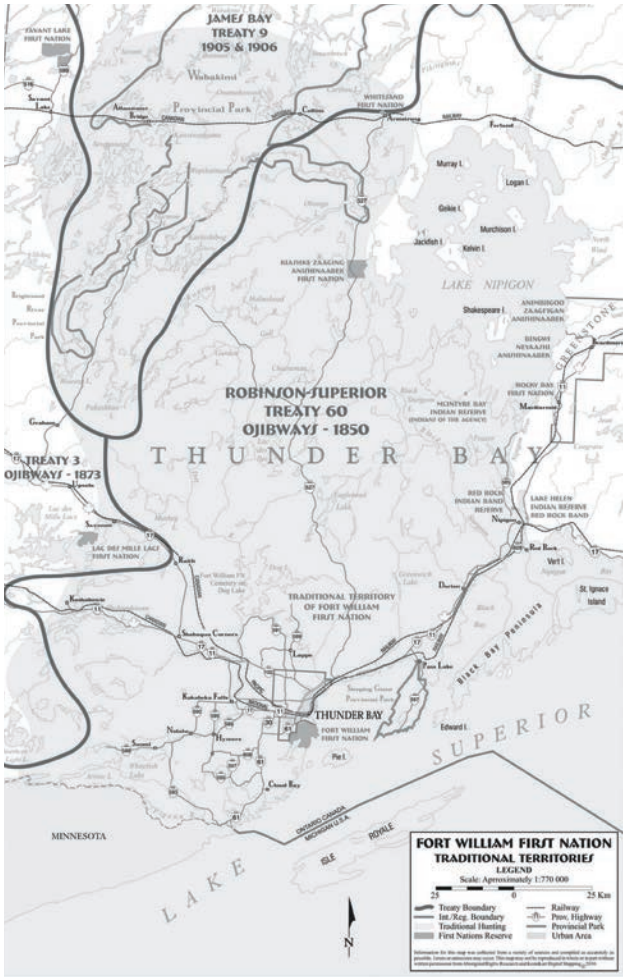
The Grand Trunk Railway is incorporated to build a line from Montreal to Toronto. The line opens in 1856.

THE ROBINSON-SUPERIOR TREATY

On September 7, 1850 Fort William First Nation is a signatory to the Robinson-Superior Treaty (No. 60). Ojibway Chiefs from the north shore of Lake Superior from Pigeon River to Batchawana Bay meet with the Crown at a Treaty Council in Sault Ste. Marie. A delegation of 15 Fort William Ojibway led by Chiefs Peau de Chat and Illinois attend. William Robinson, the Treaty Commissioner and Lord Elgin, the Governor of the Province of Canada represent the Crown.

By the terms of the Treaty, the Ojibway give a land cession to Her Majesty of all their territory on Lake Superior to the height of land with the exception of the lands they chose as reserves. The Ojibway were assured that they would have continued use and rights to all the lands described the "same privilege as ever of hunting & fishing over the whole territory." In return the Ojibway received an annuity in perpetuity for every man woman and child in the tribe, and a reserve at a place of their choosing. The dimensions described in the Treaty are written down in miles, whereas the Ojibway understood the dimensions to be in leagues.

For the Ojibway, the binding character of treaties wasn't primarily in the legalistic language; the true intent was in what was actually said during the deliberations with the accompaniment of ceremony and exchange of symbolically significant gifts.



1853

A survey confirms that the boundaries of Fort William First Nation Reserve cannot be laid out as described in the Robinson-Superior Treaty. The Treaty description assumes that the shore of Lake Superior at Fort William runs in an east-west orientation, when in actuality, it runs in a north-south orientation. The First Nation protest that the reserve the surveyors had been sent to lay out is too small, and refuse to accept the surveyor's plan. The surveyors agree to recommend that Pie Island be included in the reserve. This is never implemented.

1900s Expropriation of Lands

1859

In the Needing Surrender, Fort William First Nation's only other arable lands along the Kaministiquia River is surrendered to the Crown for future sale. The land became part of Neebing Township in 1860.

1867

Canada is united as the Confederation of Canada. Conservative leader, Sir John A. Macdonald is Canada's first Prime Minister.

1870s

The fur trade is in final decline.

1876

The Indian Act formally signifies the federal government's control over every aspect of Native life.

1880s

The original trading post, Fort William built in 1679 disappears under the development of Canadian Pacific Railway railroad tracks and coal piles.

Inside the Fort William Trading Post, 1870 (W. Armstrong)
Courtesy of: National Gallery of Canada

1905

The entire Fort William First Nation village and land totaling 1,600 acres is expropriated for the building of a railway terminus by the Grand Trunk Pacific Railway. It is the single largest railway expropriation in the history Canada. The community and all buildings are evacuated. About half the members relocate to Squaw Bay and the other half to the Mountain Village. Grand Trunk Pacific goes bankrupt and the terminus is never completed.

McKeller & Mission Island, the Kaministiquia Delta.
Photo Courtesy of: Thunder Bay Historical Society

1906

Loch Lomond Lake, located on Mount McKay within the Fort William First Nation is the original source for drinking water for FWFN. The water supplying the City of Fort William is contaminated creating a typhoid epidemic. FWFN signs an agreement with the City of Fort William to sell drinking water from Loch Lomond. The Loch Lomond Water Supply system is constructed with tunnels built under the Kaministiquia River and through Mount McKay on 45.19 acres of reserve lands.

1907

Fort William First Nation lands are surrendered for a Department of Militia and Defence rifle range.

1910

Fort William First Nation signs an agreement with the City of Fort William to sell drinking water from Loch Lomond.

1915

Cattle owned by non-Indigenous farmers graze on the land cleared for the Grand Trunk Pacific Railway railway terminus.

1917

Fort William First Nation surrenders 270 acres of land for a park to the City of Fort William for present day Chippewa Park.

1920

The Grand Trunk Pacific rail line is taken over by Canada and the Mission land is given to Canadian National Railway Company.

1932

The Dog Lake branch of the Fort William First Nation is disbanded and they move to the Reserve.

"The Indians made their living working alongside with their white brothers. Now that Canada is entering its second century, the Indians will prosper more in educations so that we can live and still work side by side with our white society."
Chief Pelletier, 1967

1900s Expropriation of Lands

1970

The twin cities of Port Arthur and Fort William amalgamate as the City of Thunder Bay.

1986

The FWFN submits a Northern Boundary Claim to Canada that states that the surveyed boundary of FWFN Indian Reserve 52 does not reflect the historical agreement reached between the Crown and the First Nation in 1850 and that the reserve land is smaller than agreed upon. FWFN also submits a Northern Boundary Claim to Ontario.

1994

Canada accepts FWFN's Northern Boundary Claim.

1998

In November, FWFN submits the Rifle Range Claim to Canada for the exchange of lands surrendered by the First Nation in 1907 and 1914 for a Department of Militia and Defence rifle range. FWFN states that the exchange was unlawful and that Canada owes an outstanding lawful obligation to FWFN.

1999

Through direct negotiations with Canadian National Railway, FWFN Development Corporation regains ownership of about 1,100 acres of the Mission land (expropriated in 1905 by the Grand Trunk Pacific Railway).

1999

Fort William First Nation submits the Grand Trunk Pacific claim for negotiation to Canada.

2000s Reconciliation and Restoration

2000

Ontario agrees to Northern Boundary Claim negotiations with FWFN.

2002

In March 25, FWFN submits the Neebing Surrender Specific Settlement Claim to Canada to resolve the 1859 surrender of approximately 6,400 acres of arable lands along the Kaministiquai River on FWFN reserve. The lands were surrendered to the Crown with the understanding that the property would be surveyed and sold for the use and benefit of the First Nation. The claim states that when the lands did not sell, Canada should have asked if FWFN wished to have the lands returned.

2002

Canada accepts Fort William First Nation's Grand Trunk Pacific claim on the basis that the land was sold for less than it was worth in 1905. The Osoyoos Indian Band v. The Town of Oliver Decision (British Columbia) by the Supreme Court of Canada in 2001 potentially expands the scope of acceptance by First Nations. Following the Osoyoos Decision, FWFN suggests a legal review of the basis of acceptance and discussions begin towards broader negotiations. A lawsuit by FWFN results in Canada suspending negotiations, as Canada will not negotiate a claim if a First Nation is proceeding with litigation at the same time. The litigation is now "in abeyance".

2005

In November, FWFN submits the Loch Lomond Specific Claim to Canada. The claim states breaches of fiduciary obligations by Canada to the 1906 surrender of reserve lands for the construction of the Loch Lomond Water Supply system.

2005

Canada settled the Rifle Range Claim and compensation is provided to FWFN.

2007

Canada accepts the Neebing Surrender Specific Claim in August and begins negotiations by which Canada agrees that there is an outstanding lawful obligation owing to FWFN as a result of the historical grievance. FWFN receives a claim settlement.

2007

The City of Thunder Bay decides to service the entire city and Fort William First Nation through the Bare Point Water Treatment Plant on the shores of Lake Superior to the north of Thunder Bay. In 2008, the Loch Lomond water treatment facility is decommissioned.

2008

Canada accepts FWFN's Loch Lomond Specific Claim in July stating that the surrender constituted an exploitation bargain and that Canada breached its fiduciary duty. FWFN receives a claim settlement.

2008

FWFN submits the Mining Locations Claim to Canada that states that the surrender of 120 acres lands in 1909 was sold under value and that the 1913 surrender of 3.34 acres was invalid.

2008

In the fall, FWFN's negotiations recommence with Canada taking the position that the Railway Act prohibited the alienation of appropriated land by the Grand Trunk Pacific and that Canada had a duty to prevent the alienation and to return the land to FWFN. Fort William First Nation's negotiations are based on two components: Financial compensation with Specific Claims Branch (SCB) and the return of the lands to reserve status with Ontario Region through Canada's Additions to Reserve (ATR) Policy.

2010

In October, Canada issues a formal letter of offer to FWFN to settle the Boundary Claim.

2011

The Chief of FWN and the Mayor of the City of Thunder Bay sign a Declaration of Commitment recognizing FWFN's significant contributions to the heritage and social, cultural, spiritual and economic fabric of Thunder Bay. The Declaration of Commitment will act as a guide for a more collaborative relationship that will mutually benefit both communities.

2011

In May, Canada accepts FWFN's Mining Locations Claim for negotiations.

2013

In October, a letter of offer is issued by Canada to FWFN to settle the Mining Locations Claim.

2016

Following 17 years of negotiations over its land base, Fort William First Nation receives an offer of settelment from the federal government. The compensation is meant to make up for the expropriation of reserve land for construction of the Grand Trunk Pacific Railway terminus in 1905.

2016

The Thunder Bay City Council approves the addition of the Fort William First Nation flag to fly permanently alongside the Canadian, Ontario and Thunder Bay flags in front of City Hall. In May, the FWFN flag is raised at City Hall in a ceremony recognizing that Thunder Bay resides in the Robinson Superior Treaty and has been built on the traditional lands of the Ojibwa people of Fort William First Nation.

ENTERPRISE AT FORT WILLIAM FIRST NATION

For over two centuries, the Indians of Fort William have been involved in commercial and non-commercial land-based ventures both on and off-reserve.

FISHING

Following the activity of the fur trade, the fishery on Lake Superior thrived as a robust economy for the Hudson's Bay Co and others. The industry was dependent on First Nations as employees for fishing, packing, curing and other activities related to the transport of large volumes of fish. Between 1835 -1837, the Hudson Bay Company at Fort William alone consumed 20,000 pounds of salt fish and 7,500 pounds of fresh fish.

The Fort William Indians continued to be active participants in the fishing industry into the 20th century, even though exclusive fishing rights weren't recognized. Unfortunately, by the time fishing rights were acknowledged most of Lake Superior had been fished out. Throughout most of the 20th century, several Fort William Indian families operated under commercial fishing licenses.

AGRICULTURE

By the mid-1880s, Fort William Indians who had settled in the Mission had become successful farmers. In 1883, hundreds of acres of land were cleared, garden vegetables were grown for markets in Port Arthur and Fort William, and 123 head of cattle were raised. By 1890, to expand the thriving economy, swampland was drained for more grazing land and 800 bushels of seed was set-aside for the next season. Fort William Indians competed in the Port Arthur Agricultural Fair and won many prizes for produce and animals. In 1894, over a ton of raspberries were sold.

TIMBER

In the late 1880s, Fort William First Nation entered into commercial dealings with a local timber company and sold the timber on the reserve. Many people were employed cutting cordwood and received royalties. The building of elevators by the Canadian Pacific Railway Company and work in the lumber camps gave employment to many.

MINING

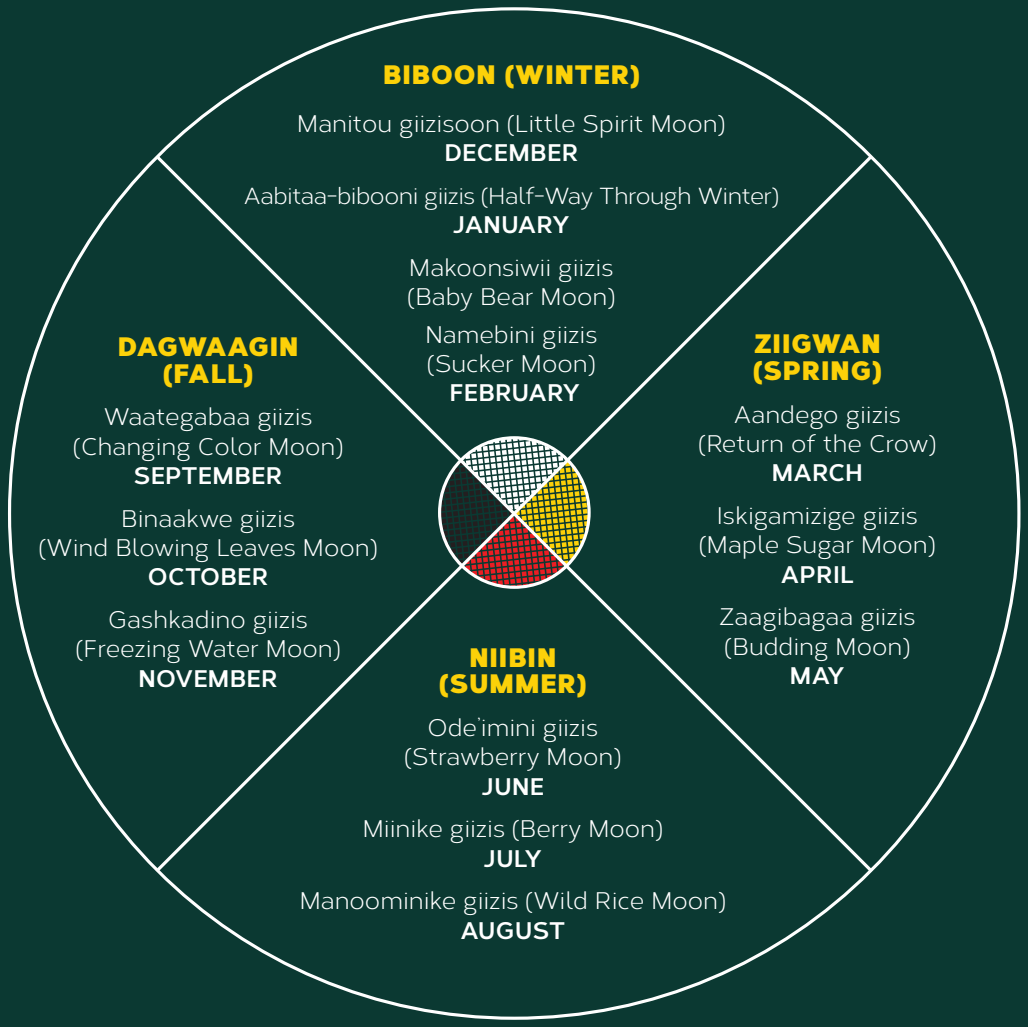
In the late 1890s, Silver Islet on Lake Superior's Sibley Peninsula was the site of a rich pure silver ore body. $3.25M worth of silver was mined between 1870, when the mine opened, and 14 years later when the mine closed. Some Fort William First Nation members worked at the mine and brought their families to live with in Silver Islet.

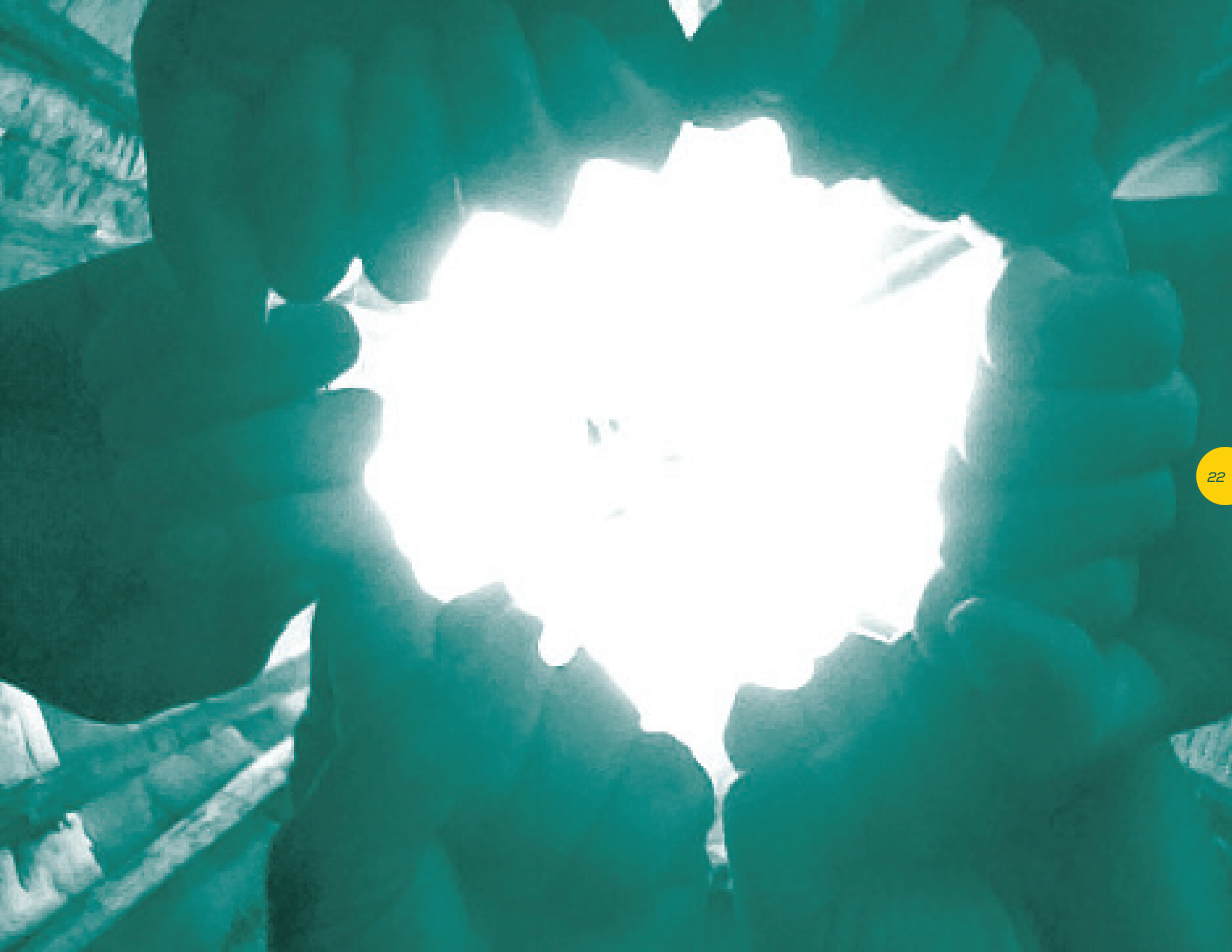
Fort William First Nation was best source of gravel and rock in the vicinity during the building of Port Arthur and Fort William during the 1870s and the major railway terminus in the early 1900s. Enterprising band members wanted to buy a rock crusher to expand the industry. Inhibited by the Agents of the Indian Department to undergo this initiative, quarrying rights and other aggregate rights were sold to other companies. Fort William First Nation worked the quarries and the gravel pits while receiving royalties from the sales until the 1950s. Many FWFN quarries were leased to the City of Fort William throughout the 1900s to 1950s.

THE MEDICINE WHEEL, THE FOUR SEASONS & THE MOONS

The traditional Ojibwe calendar follows a 13 moon lunar cycle. The names of each moon are influenced by nature, human activities and cultural practices.

Some months have two different names because of what's happening during that month. For example, February is called Baby Bear Moon (bear cubs are born during this time), or Sucker Fish Moon (sucker fish come closest to the water surface during this time). Here's how the months fit into the medicine wheel.





Respecting the Past, Embracing the Future

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