



Regional Municipality of Halton

# **New North Oakville Transportation Corridor and Crossing of Sixteen Mile Creek**

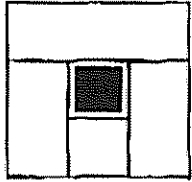
## **Appendix C: First Nations Consultation**

New North Oakville Transportation Corridor and Crossing of Sixteen Mile Creek Environmental Assessment - AGENCY CONTACT LIST

Title	First Name	Last Name	Position	Agency/Group	Address 1	Address 2	City	Province	Postal Code
<b>First Nations</b>									
Mr.	Francois	Lachance	Senior Adviser, Aboriginal and Ministry Relationships Branch	Ontario Ministry of Aboriginal Affairs	160 Bloor St. E	9th Floor	Toronto	ON	M7A 2E6
Mr.	Martin	Rukavina	Adviser, Relationships	Ontario Ministry of Aboriginal Affairs	160 Bloor St. E	9th Floor	Toronto	ON	M7A 2E6
Mr.	Don	Boswell	Senior Claims Analyst, Ontario Research Team, Specific Claims Branch	Department of Indian and Northern Affairs	10 Wellington Street	Room 1310	Gatineau	QU	K1A 0H4
Ms.	Nicole	Cheechoo	Policy Analyst, Comprehensive Claims Branch, Treaties and Aboriginal Government	Department of Indian and Northern Affairs	10 Wellington Street	8th Floor	Gatineau	QU	K1A 0H4
Mr.	Franklin	Roy	Director, Litigation Portfolio Operations East, Litigation Management and Resolution Branch	Department of Indian and Northern Affairs	10 Wellington Street	Room 1310	Gatineau	QU	K1A 0H4
	Environment Unit		Re: Environmental Assessment Coordination	Department of Indian and Northern Affairs	25 St. Clair Avenue East	8th Floor	Toronto	ON	M4T 1M2
Mr.	Richard	Saunders	Director-Negotiations	Negotiations Branch	Ontario Secretariat for Aboriginal Affairs	720 Bay Street, 4th Floor	Toronto	ON	M5G 2K1
Chief	James R.	Marsden		Alderville First Nation	PO Box 46 R.R. #4		Roseneath	ON	K0K 2X0
Chief	Tracy	Gauthier		Mississaugas of Scugog Island	22521 Island Road		Port Perry	ON	L9L 1B6
Chief	Bryan	La Forme	C/O Ms. Margaret Sault	Mississaugas of the New Credit	RR #6	2789 Mississauga Road	Hagersville	ON	N0A 1H0
Grand Chief	Thompson	Dooley		Mohawks of Akwesasne	Mohawk Council of Akwesasne	PO Box 579	Cornwall	ON	K6H 5TE
Chief	Joel	Abram		Oneida Nation of the Thames	2212 Elm Avenue		Southwold	ON	N0L 2G0
Sub-Chief	Leroy	Hill		Six Nations Haudenosaunee Confederacy Council	R.R. #2		Ohsweken	ON	N0A 1M0
Chief	Donald R.	Maracle		The Mohawks of the Bay of Quinte	Box 98, 48B Bayshore Road	Tyendinaga	Mohawk Territory	ON	K0K 1X0
Chief	Blaine	Commandant		Wahta Mohawks	Wahta Mohawk Territory	Box 260	Bala	ON	P0C 1A0
Chief	Laurie	Carr		Hiawatha First Nation	123 Paudash Street, R.R. #2		Keene	ON	K0L 2G0
Chief	Keith	Knott		Curve Lake First Nation	22 Winookeeda Road		Curve Lake	ON	K0L 1R0
Chief	William K.	Montour		Six Nations of the Grand River Territory	P.O. Box 5000		Ohsweken	ON	N0A 1M0

\* Contact with Indian and Northern Affairs Canada and the Ministry of Aboriginal Affairs was initiated in July 2006

\* Contact with individual First Nation's was initiated in November 2006



**TSH**  
engineers  
architects  
planners

Torren Sims Hubicki Associates  
300 Water Street  
Whitby, Ontario, Canada L1N 9J2  
(905) 668-9363 Fax: (905) 668-0221  
E-mail: tsh@tsh.ca www.tsh.ca

July 14, 2006

See attached mailing list

Attention: *Ms. Pearce*  
*Senior Claims Analyst*

Subject: **New North Oakville Transportation Corridor and Crossing of the Sixteen Mile Creek Class Environmental Assessment Study**  
**Regional Road 25 to Ninth Line (Regional Road 13), Town of Oakville**

Halton Region completed the Halton Transportation Master Plan in June 2004. One of the recommendations from that study was the provision of additional east/west capacity along the Burnhamthorpe Road (Regional Road 27) Transportation Corridor, including a potential future bridge crossing of Sixteen Mile Creek. On that basis, the Region initiated a Class Environmental Assessment study in compliance with Schedule "C" of the Municipal Engineers Association "Municipal Class Environmental Assessment" (June 2000). Input and advice from local residents, the business community, ratepayers groups, technical agencies, etc. has been sought throughout the project.

A preliminary preferred design for the New North Oakville Transportation Corridor and New Crossing of Sixteen Mile Creek has been selected and recently presented to the public for comment.

Please advise whether your organization has any interest in this study and would like to receive additional study information or whether there are particular aboriginal contacts that we should make before we finalize our study recommendations. Please also advise us if you are aware of any identified First Nations land claims. Further information about the study is available on the project website at:

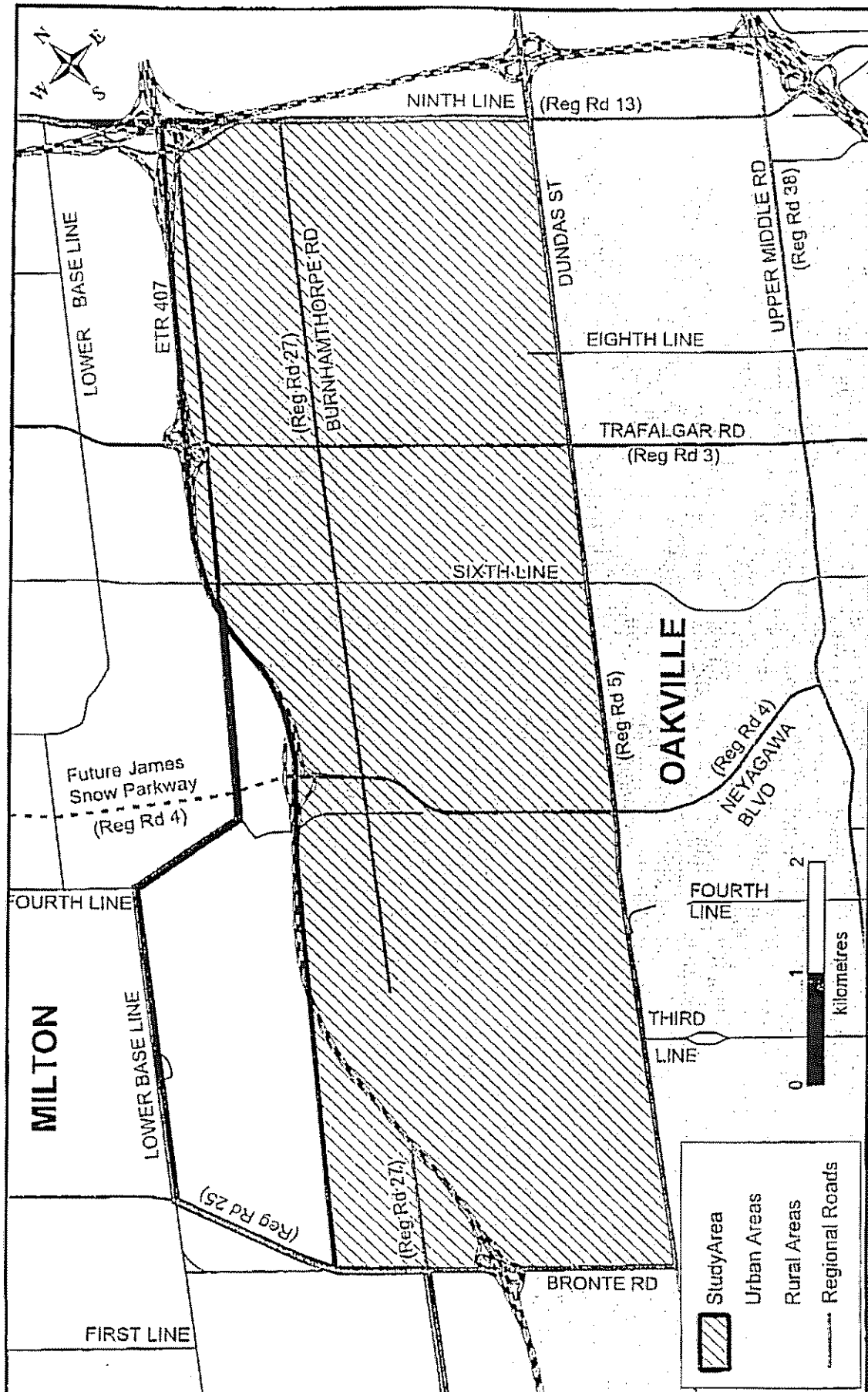
<http://www.halton.ca/ppow/PlanningRoads/Transp/Project/Burnhamthorpe/default.htm>

If you have any questions or require additional information, please contact the undersigned at 905-668-4021 ext. 2275 or via email at [mdelsev@tsh.ca](mailto:mdelsev@tsh.ca). Thank you for your assistance with this project and I look forward to your response.

Yours very truly,

Mike Delsev, P.Eng.  
Consultant Project Manager

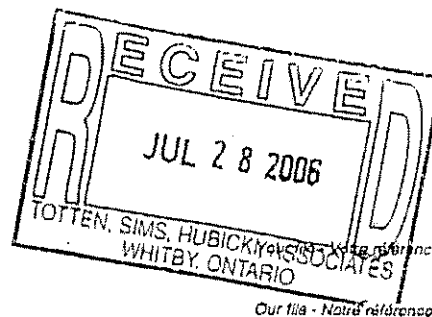
cc E. Soldo, Halton Region





Indian and Northern  
Affairs Canada  
www.inac.gc.ca

Affaires indiennes  
et du Nord Canada  
www.ainc.gc.ca



JUL 25 2006

Mike Delsey  
Totten Sims Hubicki Associates  
300 Water Street  
WHITBY ON L1N 9J2

Dear Mr. Delsey:

**RE: New North Oakville Transportation Corridor and Crossing of the Sixteen Mile Creek Class Environmental Assessment Study Regional Road 25 to Ninth Line (Regional Road 13), Town of Oakville**

I'm writing in response your letter of July 14, 2006 to Mr. Franklin Roy, indicating your request to see if there are any claims involving the town of Oakville, Ontario for the North Oakville Transportation Corridor and Crossing of the Sixteen Mile Creek Class Environmental Assessment Study.

We have reviewed the current litigation under the responsibility of the Litigation Management and Resolution Branch and can advise that our inventory does not include litigation that involves the area of this property.

For information on any claims you should also contact Maryanne Pearce of the Specific Claims Branch at (819) 953-1940 to inquire about any current Specific Claims, and Guy Morin of the Comprehensive Claims Branch at (819) 956-0325 to inquire about any current Comprehensive Claims.

If you have any further questions please do not hesitate to contact me.

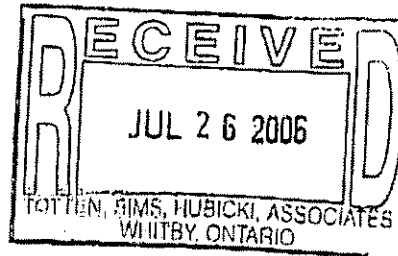
Yours Sincerely

Susan Winger  
Manager Litigation Portfolio Operations East

Canada

Affaires indiennes  
et du Nord CanadaIndian and Northern  
Affairs Canada

www.ainc-inac.gc.ca



Votro référence - Your file

Notre référence - Our file

B8260-12

Mike Deleseey  
Consultant Project Manager  
Totten Sims Hubicki Associates  
WHITBY ON L1N 9J2

Dear Mr. Deleseey

**Re: North Oakville Transportation Corridor - Oakville, ON**

This letter is in response to your letter dated July 14, 2006 in which you inquired as to whether there were any first Nation land claims that would be affected by the proposed new North Oakville transportation corridor and crossing of Sixteen Mile Creek's class environmental assessment study.

We have conducted a search of our records and determined that no specific claims have been submitted in the area of interest. Although no specific claims affecting the indicated municipalities have been filed to date, we cannot make any representations regarding potential or future claims.

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

We can only speak directly to claims filed under the Specific Claims Policy for the Province of Ontario. We cannot make any comments regarding potential or future claims, or claims filed under other departmental policies. This includes claims under Canada's Comprehensive Claims Policy or legal action by First Nations against the Crown. You will have to contact the Comprehensive Claims Branch at (819) 994-7521 or the Litigation Management and Resolution Branch at (819) 934-2185 directly for more information.

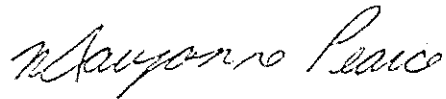
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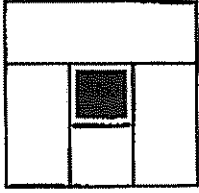
Specific Claims has developed a "Public Information Status Report" on all claims which have been submitted to date. This information is available to the public on the Indian and Northern Affairs Canada website and can be found at [http://www.ainc-inac.gc.ca/ps/clm/pis\\_e.html](http://www.ainc-inac.gc.ca/ps/clm/pis_e.html)

I hope this information will assist you in any further queries. As there are no claims in the affected area, it is not necessary to keep this office informed of the project's progress. I trust that this satisfactorily addresses your concerns. If you wish to discuss this matter further please contact me at (819) 953-1940.

Yours sincerely,



Maryanne Pearce  
Senior Claims Analyst  
Ontario Research Team  
Specific Claims Branch



**TSH**  
engineers  
architects  
planners

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300 Water Street  
Whitby, Ontario, Canada L1N 9J2  
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E-mail: [tsh@tsh.ca](mailto:tsh@tsh.ca) [www.tsh.ca](http://www.tsh.ca)

November 13, 2006

**Chief James R. Marsden**  
Alderville First Nation  
PO Box 46, R.R. # 4  
Roseneath, ON  
K0K 2X0

Attention: *Chief Marsden and Band Council members*

Subject: **New North Oakville Transportation Corridor and Crossing of the Sixteen Mile Creek Class Environmental Assessment Study  
Regional Road 25 to Ninth Line (Regional Road 13), Town of Oakville**

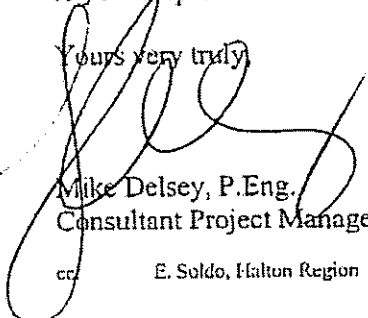
Halton Region completed the Halton Transportation Master Plan in June 2004. One of the recommendations from that study was the provision of additional east/west capacity along the Burnhamthorpe Road (Regional Road 27) Transportation Corridor, including a potential future bridge crossing of Sixteen Mile Creek. On that basis, the Region initiated a Class Environmental Assessment study in compliance with Schedule "C" of the Municipal Engineers Association "Municipal Class Environmental Assessment" (June 2000). Input and advice from local residents, the business community, ratepayers groups, technical agencies, etc. has been sought throughout the project.

A preliminary preferred design for the New North Oakville Transportation Corridor and New Crossing of Sixteen Mile Creek has been selected and recently presented to the public for comment.

Please advise whether your organization has any interest in this study and would like to receive additional study information. Further information about the study is available on the project website at:  
<http://www.halton.ca/ppw/PlanningRoads/Transp/Projects/Burnhamthorpe/default.htm>

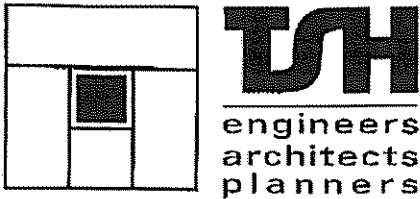
If you have any questions or require additional information, please contact the undersigned at 905-668-4021 ext. 2275 or via email at [mdelsey@tsh.ca](mailto:mdelsey@tsh.ca). Thank you for your assistance with this project and I look forward to your response.

Yours very truly,

  
Mike Delsey, P.Eng.  
Consultant Project Manager

cc E. Soldo, Halton Region





Totten Sims Hubicki Associates  
 300 Water Street  
 Whitby, Ontario, Canada L1N 9J2  
 (905) 668-9363 Fax: (905) 668-0221  
 E-mail: tsh@tsh.ca www.tsh.ca

November 13, 2006

**Chief Tracy Gauthier**  
 Mississaugas of Scugog Island  
 22521 Island Road  
 Port Perry, ON  
 L9L 1B6

Attention: Chief Gauthier and Band Council Members

Subject: **New North Oakville Transportation Corridor and Crossing of the Sixteen Mile Creek Class Environmental Assessment Study  
 Regional Road 25 to Ninth Line (Regional Road 13), Town of Oakville**

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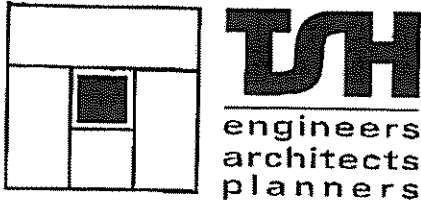
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Yours very truly,

Mike Delsey, P.Eng.  
 Consultant Project Manager

cc: E. Suldo, Halton Region



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Whitby, Ontario, Canada L1N 9J2  
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E-mail: [tsh@tsh.ca](mailto:tsh@tsh.ca) [www.tsh.ca](http://www.tsh.ca)

November 13, 2006

**Chief Bryan LaForme**  
Mississaugas of the New Credit First Nation  
2789 Mississauga Road, R.R. # 6  
Hagersville, ON  
NOA 1H0

Attention: Chief LaForme and Band Council Members

Subject: **New North Oakville Transportation Corridor and Crossing of the Sixteen Mile Creek Class Environmental Assessment Study  
Regional Road 25 to Ninth Line (Regional Road 13), Town of Oakville**

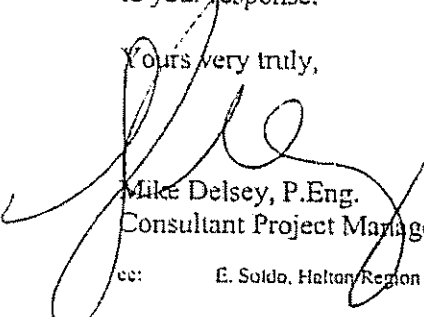
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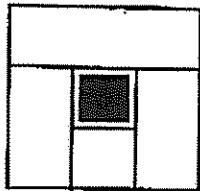
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Yours very truly,



Mike Delsey, P.Eng.  
Consultant Project Manager

cc: E. Soldo, Halton Region



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engineers  
architects  
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November 13, 2006

**Chief Greg Cowie**  
Hiawatha First Nation  
123 Paudash Street, R.R. # 2  
Keene, ON  
K0L 2G0

Attention: *Chief Cowie and Band Council Members*  
*Director*

Subject: **New North Oakville Transportation Corridor and Crossing of the Sixteen Mile Creek Class Environmental Assessment Study**  
**Regional Road 25 to Ninth Line (Regional Road 13), Town of Oakville**

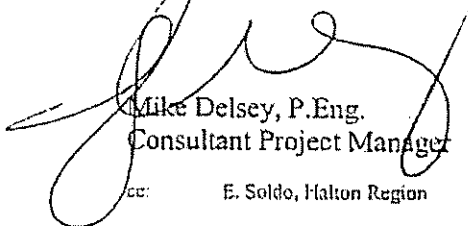
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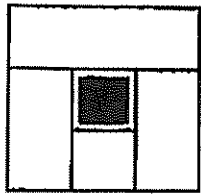
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Mike Delsey, P.Eng.  
Consultant Project Manager

cc: E. Soldo, Halton Region



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E-mail: [tsh@tsh.ca](mailto:tsh@tsh.ca) [www.tsh.ca](http://www.tsh.ca)

November 13, 2006

**Chief Keith Knott**  
Curve Lake First Nation  
22 Winookeeda Road  
Curve Lake, ON  
K0L 1R0

Attention: *Chief Knott and Band Council Members*

Subject: **New North Oakville Transportation Corridor and Crossing of the Sixteen Mile Creek Class Environmental Assessment Study  
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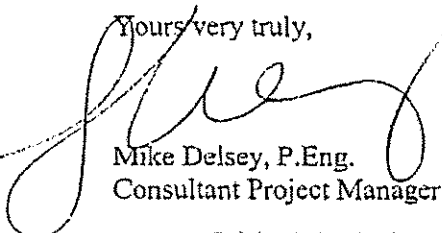
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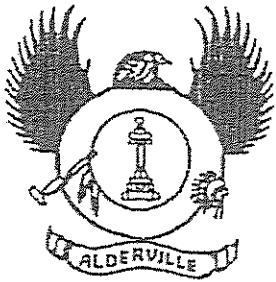
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Mike Delsey, P.Eng.  
Consultant Project Manager

cc: E. Soldo, Halton Region

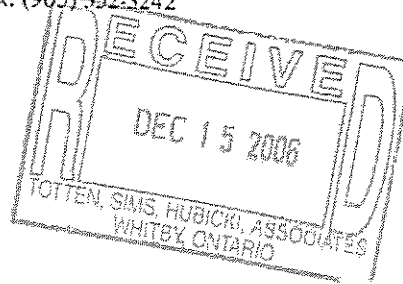


## ALDERVILLE FIRST NATION

P.O. Box 46, 11696 Second Line  
Roseneath, ON  
K0K 2X0  
Phone: (905) 352-2011  
Fax: (905) 352-3242

Chief-  
Councillor-  
Councillor-  
Councillor-  
Councillor-

James R. Marsden  
Gwen Barron  
Wayne Beaver  
Leonard Gray  
Jody Holmes



December 13, 2006

Totten Sims Hubicki Associates  
300 Water Street  
Whitby, ON L1N 9J2

Dear Mr. Delsey,

We have received your letter dated November 13, 2006 regarding the New North Oakville Transportation Corridor and Crossing of the Sixteen Mile Creek Class Environmental Assessment Study.

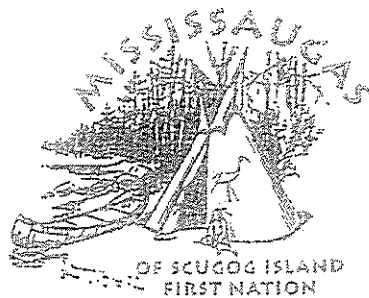
Thank you for the information, however under no circumstance will any of the correspondence or documentation exchanged between representatives from this organization to the above named individual be characterized as consultation with Alderville First Nation.

Section 35 of the Constitution Act, 1982 recognizes and affirms Aboriginal and treaty rights. This protects both the contents of these rights and requires a process of consultation and accommodation.

At this time we have no comments or concerns, but please forward any new or additional information that may arise.

Sincerely,

Jody Holmes  
Councillor  
Alderville First Nation



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22521 ISLAND ROAD • PORT PERRY, ON • L9L 1B6 • TEL: 905-985-3337 • FAX: 905-985-8828 • [www.scugogfirstnation.com](http://www.scugogfirstnation.com)

---

Totten Sims Hubicki Associates  
300 Water St.  
Whitby, ON  
L1N 9J2

April 12, 2007

Re: **Region of Halton – Oakville Transportation Corridor and Crossing of the Sixteen Mile Creek**

Dear Sirs:

We acknowledge receipt of materials respecting this environmental assessment of lands in which we have several interests.

The lands involved in the proposed undertaking are within the treaty lands of the Mississaugas of Scugog Island First Nation, and are within the lands claimed by the First Nation in an unresolved specific land claim presently before the Canada Indian Land Claims Commission. The First Nation also has several Aboriginal rights that are applicable within the subject lands which are not site specific and which are similarly protected by s. 35 of the constitution, such as the right to have Aboriginal burials not disturbed.

The First Nation has a constitutional right to be consulted with respect to any decision that is contemplated that could cause an adverse affect upon the interests of the First Nation. It also has the right to be consulted under the *Environmental Assessment Act* and has procedural administrative law rights, because its interests could be adversely affected.

The delivery of notices, like the notice or notices which have been sent are not consultations respecting these interests. Presently, there have not been any consultations with the Governments of Canada or Ontario. We ask you to advise if you represent the Government of Ontario or Canada for the purposes of such consultations.

We require that you provide to us an archaeological resource survey of the lands involved in this project performed by:

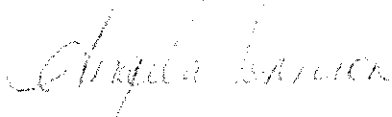
Dr. William R. Fitzgerald  
Archaeologist  
2207 Bruce County Road  
R.R. #2  
Tiverton, Ontario N0G 2T0  
Telephone: (519) 368-5899  
Facsimile: (519) 368-8886  
Email: [dr\\_dig@explornet.com](mailto:dr_dig@explornet.com)

The planning and execution of the proposed undertaking requires many decisions, approvals, permits and other similar steps by governments. Owing to the governments' obligation to consult regarding these decisions, we require reasonable notice of these steps, so that there can be the appropriate consultations with the government involved.

As a first step, we require your assurance that the subject lands will not be disturbed until we have completed our consultations with you or the applicable government. Preservation of any burial sites could not be achieved unless such stand still agreement is in place.

As you may appreciate, the consultations will give rise to costs by the First Nation. We ask to have your proposal regarding the financing of these costs, and after we have reached an agreement with you regarding this financing, we will be in a position to respond meaningfully to the matters which will require resolution for this project to proceed.

Yours very truly,



Angela Johnson  
Councillor

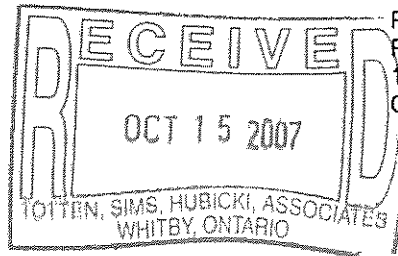
Mississaugas of Scugog Island First Nation



# The Regional Municipality of Halton

October 11, 2007

Attn: Councillor Jody Holmes  
Alderville First Nation  
P.O. Box 46, 11696 Second Line  
Roseneath, Ontario K0K 2X0



Planning & Public Works  
Planning and Transportation Services  
1151 Bronte Road,  
Oakville, ON L6M 3L1

Dear Councillor Holmes:

**RE: New North Oakville Transportation Corridor and Crossing of the Sixteen Mile Creek  
Class Environmental Assessment Study, Town of Oakville**

Thank you for your letter dated December 13, 2006 acknowledging the receipt of Halton Region's letter dated November 13, 2006 and informing Halton Region of the Aboriginal and treaty rights under Section 35 of the Constitution Act. We would also like to thank you for letting us know that your First Nation do not have any comments or concerns at this time and would like to receive any new or additional information that may become available in the future.

If any aboriginal remains or significant aboriginal artifacts are uncovered during further archaeological assessment work, we will contact your First Nation immediately. In the event that aboriginal remains are uncovered, we will stop all work activities to minimize further disturbance to the area and will immediately notify the appropriate authorities and your First Nation of the archaeological discovery. Halton Region will not resume any work activities until all issues have been satisfactorily addressed as we understand that this is important in the preservation of aboriginal burial sites that may be encountered.

Halton Region encourages participation and dialogue with all stakeholders and invites your valued input to this project. The Environmental Study Report will be finalized in late Fall 2007 and presented to Regional Council for endorsement in Winter 2008. You will be notified when the Environmental Study Report has been submitted to the Ministry of the Environment and is available for review and comment. If you have any questions or require additional information, please contact the undersigned at 905-825-6000, ext 7623 or [melissa.green-battiston@halton.ca](mailto:melissa.green-battiston@halton.ca).

Sincerely,

Melissa Green-Battiston, P. Eng.  
Transportation Engineer

c: M. Delsey, TSH

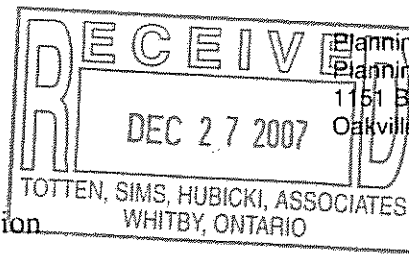




# The Regional Municipality of Halton

December 20, 2007

Attn: Councillor Angela Johnson  
Mississaugas of Scugog Island First Nation  
22521 Island Road  
Port Perry, Ontario L9L 1B6



Planning & Public Works  
Planning and Transportation Services  
1151 Bronte Road,  
Oakville, ON L6M 3L1

Dear Councillor Johnson:

**RE: New North Oakville Transportation Corridor and Crossing of the Sixteen Mile Creek Class Environmental Assessment Study, Town of Oakville**

Thank you for your letter dated April 12, 2007 expressing your interest in the proposed undertaking and also informing the Region that you believe that certain lands within the study area are within the treaty lands of the Mississaugas of Scugog Island First Nation and are within the lands claimed by the First Nation in an unresolved specific land claim presently before the Canada Indian Land Claims Commission.

The *Municipal Class Environmental Assessment (June 2000)*, approved under the *Ontario Environmental Assessment Act*, identifies consultation requirements with all stakeholders. As part of the study process, an information letter about the project is sent to all stakeholders to explain the project and invite participation and dialogue. We are endeavouring to establish separate and direct dialogue with First Nations. Correspondence from Halton Region does not represent consultation on behalf of the Governments of Canada or Ontario and Halton Region does not in any way represent the Governments of Canada or Ontario.

As part of the Class Environmental Assessment process, a Stage 1 archaeological assessment of the entire study corridor has been completed in accordance with the *Ontario Heritage Act* by Archeoworks Inc, which will be documented in the Environmental Study Report. The assessment indicated that there are 36 registered archaeological sites within 300 metres or less to the study area. Based on the visual documentation of suitable topography and the close proximity of several watercourses, additional significant sub-surface prehistoric Aboriginal and 19<sup>th</sup> century Aboriginal and Euro-Canadian sites may be discovered at any undisturbed location within the proposed study area. As such, a Stage 2 archaeological field assessment is recommended prior to construction activities. A copy of the Stage 2 archaeological assessment can be made available when it has been completed to you if you wish.

In the event that Aboriginal human remains are uncovered, we will stop all work activities to minimize further disturbance to the area and will immediately notify the appropriate authorities and your First Nation of the archaeological discovery. Halton Region will not resume any work activities until all issues have been satisfactorily addressed as we understand that this is important in the preservation of Aboriginal burial sites that may be encountered.

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Halton Region encourages participation and dialogue with all stakeholders and similarly invites your valued input to this project. Halton Region does not encourage participation by providing financing arrangements to obtain consultation. We nevertheless wish to ensure that the cultural and heritage interests of your First Nation will be properly considered and addressed.

The Environmental Study Report will be finalized in Winter 2008 and presented to Regional Council for endorsement in Winter 2008. You will be notified when the Environmental Study Report has been submitted to the Ministry of the Environment and is available for review and comment. If you have any questions or require additional information, please contact the undersigned at 905-825-6000, ext 7623 or [melissa.green-battiston@halton.ca](mailto:melissa.green-battiston@halton.ca).

Sincerely,

A handwritten signature in cursive script that reads "Melissa Green-Battiston". The signature is written in black ink and is positioned above the typed name.

Melissa Green-Battiston, P. Eng.  
Transportation Engineer

c: M. Delsey, TSH