

Grand River Conservation Authority

Report number: GM-02-23-10

Date: February 24, 2023

To: Members of the Grand River Conservation Authority

Subject: Grand River Notification Agreement Renewal

Recommendation:

THAT the Chair of the Grand River Conservation Authority be authorized to sign the renewal of the Grand River Notification Agreement.

Summary:

The Grand River Notification Agreement (GRNA) is a communication protocol to facilitate the sharing of information regarding projects in the southern part of the Grand River watershed.

The parties to this agreement include the Six Nations of the Grand River, Mississaugas of the Credit First Nation, City of Brantford, County of Brant, Haldimand County, Grand River Conservation Authority and the Province of Ontario.

Report:

On October 3, 1996 a communications protocol entitled, "The Grand River Notification Agreement (GRNA)", was signed by First Nations, the municipalities of the lower Grand River watershed, Ontario, Canada, and the GRCA.

The GRNA was renewed in 1998 and 2003. In 2008, the federal government withdrew their participation in this agreement. The other parties continued to operate under a draft 2008 agreement until 2013, when the agreement was renewed. It was renewed again in 2018. Since 2016, the parties to the agreement have extended invitations to the federal government to participate in the GRNA and this invitation has been declined.

At the annual meeting in November 2022, the parties agreed to proceed once again with a renewal.

Parties to the agreement include the Six Nations of the Grand River, Mississaugas of the Credit First Nation, City of Brantford, County of Brant, Haldimand County, Grand River Conservation Authority and the Province of Ontario. The provincial ministries that participate in the agreement renewal discussions are the Ministry of Indigenous Affairs (lead and signatory ministry), Ministry of the Environment, Conservation and Parks, Ministry of Natural Resources and Forestry, Ministry of Transportation, Ministry of Infrastructure, Ministry of Municipal Affairs and Housing, and the Ministry Citizenship and Multiculturalism.

The proposed renewal agreement is attached (Appendices 1-3). The renewal period is for five years from the date of signature by all parties.

The agreement includes articles that indicate the parties remain open to the federal government becoming a signatory to the agreement in the future, and that other provincial ministries may also join the agreement.

The GRNA is not legally binding and does not affect the legal rights or responsibilities of any party. It is not a substitute for the responsibility for direct consultation between any party and the First Nations on projects that may affect treaty rights or land claims.

The agreement provides for circulation of decisions being considered by the parties. The GRCA has provided its “Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Regulation” reports to the First Nations to address the GRCA’s commitments pursuant to the agreement. This practice would remain unchanged in the proposed renewal.

The renewal also provides for an annual meeting to review the agreement and to discuss issues arising from the implementation of the agreement.

Financial Implications:

Not applicable.

Other Department Considerations:

Not applicable.

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