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# NEGOTIATIONS NEWS

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## Chippewas of Kettle and Stony Point First Nation

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### New Members to Negotiating Team:

The Kettle and Stony Point Negotiating Team is pleased to welcome our two new members: Mark George and Elwood George.

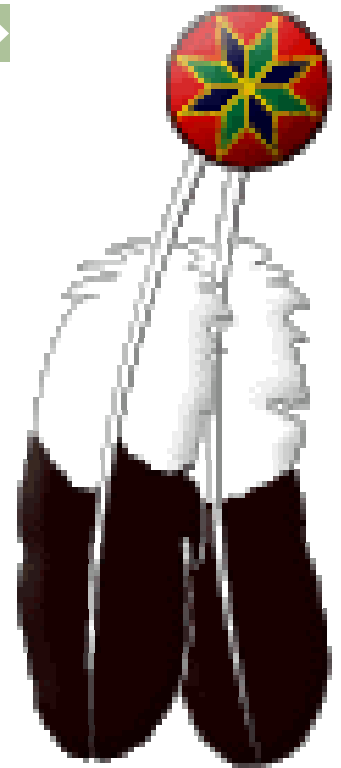
Mark and Elwood have been attending meetings since the middle of October 2006, and have been involved in community, team, and Main Table negotiating meetings with Canada.

### Progress on Main Claim:

The First Nation continues to meet with Canada in efforts to resolve the Camp Ipperwash / Stony Point Claim. While the pace of negotiations is not moving as quickly as the First Nation would like, progress is being made. A Working Group has been formed to advance the elements of the claim, and it now appears that Canada is willing to commit more time and effort on moving forward. The next Main Table meeting will be held on February 1, 2007.

### Forensic Audit on 1942 Appropriation:

As part of the Position Paper tabled with Canada, an agreement has been reached for PricewaterhouseCooper, LLP, to conduct a Forensic Audit on the payment that was made for the 1942 Appropriation of Stony Point. An Order in Council of April 14/42 authorized the appropriation of Stony Point and allocated \$50,000 to be paid for the costs of the land and removing the residents. The First Nation was paid \$15 per acre for the land with the remainder to be paid to the individual residents for the value of their buildings and improvements and the moving costs. It is intended that the information obtained during the audit will assist in the understanding of what became of the money paid by Canada with respect to the appropriation. Work on the audit will begin in January 2007, and a draft report will be ready by March 31/07. When the final report is completed it will be presented to the community.



January 2007

## ENVIRONMENTAL INVESTIGATION

The work on the Environmental, Cultural and UXO investigation is continuing to take place at the former Camp Ipperwash.

The First Nation's Special Advisors continue to be closely involved with work plan development.

A more detailed update will be provided at the next community meeting.



## OFFER TO SETTLE

The Offer To Settle is a concept developed by the Negotiating Team and approved by Chief and Council. The objective is to present to Canada an offer to settle the outstanding claim with respect to Camp Ipperwash. Canada has been provided with a framework, on a without prejudice basis, and will review it and will provide feedback to the First Nation. There have been three meetings with Canada on the proposal and Canada seems to be responding favourably to the concept. Over the past year, community meetings have been held to discuss the Offer To Settle (OTS). The meetings are usually conducted in a workshop form with topics for discussion to seek input from community members who attend the meetings.

The two elements of the settlement are: financial and clean, useable land. The First Nation believes that the only way to achieve a settlement that would be satisfactory to its Chief and Council and would be supported by its members in a vote process would be a one time cash payment that would be invested to achieve the objectives of settlement components. Uses for the Settlement proceeds would be: individual compensation; litigation trust; healing initiatives fund; infrastructure/development at Stoney Point; infrastructure/development at Kettle Point; additional lands; and development contingency including operational resources. The First Nation would determine how the settlement proceeds would be used in consultation with Canada, however, the First Nation would reserve the right to make use of the settlement proceeds in a manner that would allow it to meet the objectives outlined in the First Nation's position paper.

**INDIVIDUAL COMPENSATION:** It has been established that individual compensation will consider those individuals who were living at Stoney Point at the time of the appropriation, location tickets, and other forms of individual compensation deemed acceptable to all members of the First Nation as discussed during the consultation process to date. At previous workshops, it was discussed that there would be four classes of compensation: those directly impacted by the move (including heirs and estates); additional seniors compensation for those 65 and over; special compensation for those under 65 but over 55 years old; and all individual members of the First Nation.

**LITIGATION TRUST:** The First Nation would set aside a portion of the settlement proceeds to deal directly with any litigation that might arise from the settlement of the outstanding matters between the parties.

**HEALING INITIATIVES FUND:** The damage caused by Canada through the appropriation has caused untold emotional damage to members of the First Nation. This fund is to deal with this damage, and to allow for initiatives designed to assist the First Nation with its need to heal from that damage. Some options discussed include a memorial for those who were part of the move in 1942; economic development for jobs; funds to deal with the current and projected housing shortage. Other initiatives will be identified through on-going consultation.

**DEVELOPMENT AT STONEY POINT:** The most important purpose of the settlement proceeds will be to allow for proper development of Stoney Point within the context of the needs of the entire First Nation's membership.

**DEVELOPMENT AT KETTLE POINT:** It has long been recognized that the influx of new members to the Kettle Point lands in 1942 has had negative consequences for the lands today. Another important purpose of the settlement proceeds will be to allow for proper development at Kettle Point within the context of the needs of the entire First Nation's membership.

**ADDITIONAL LANDS:** While the First Nation maintains its interest in the return of the lands at Stoney Point, it is facing a severe land shortage for its existing membership. A portion of the settlement proceeds will be designated for the purchase of new lands that can be attached to the First Nation and used for the benefit of its membership.

**DEVELOPMENT CONTINGENCY INCLUDING OPERATIONAL:** It has always been the position of the First Nation that a portion of any settlement would be used to fund operational services that would continue to address the needs of the First Nation's membership, and that are directly related to the development proposed within the settlement funds.

**LAND ELEMENT:** The First Nation wants the return of the Stoney Point lands in a clean and useable condition, and agrees that this element is subject to the findings of the environmental, UXO, and cultural investigation that is scheduled to end in the Spring of 2008. The First Nation agrees that this element is non-negotiable until all of the information from the investigation has been received and reviewed. The First Nation wants to be in control of development of the land use plan including identification of residential, commercial, industrial, recreation, culture and heritage lands; and the clean up process. The First Nation proposes that a one time payment be negotiated that would be sufficient to cover the costs of a long term clean up using the investment income that would be derived from the settlement proceeds. If all or any of the land cannot be returned for environmental and/or safety reasons, Canada will be put on notice that it must protect the First Nation's interest in the land and must also provide the First Nation with similar lands as compensation for damages caused.

**NEXT STEPS:** The First Nation believes that Canada needs to consider the proposal put forward by the First Nation and to determine whether or not there is an interest in negotiating on the basis put forward. When all of the workshops have been completed, the Negotiating Team will make its recommendations to Chief and Council for their consideration, and on approval, will submit the final financial offer to the Government of Canada.

## COMMUNITY MEETINGS / WORKSHOPS

The Negotiating Team would like to encourage all members to attend the Community Meetings regarding the Offer to Settle so that we can hear your opinions and suggestions on the components of the OTS. It is important that your voice be heard! Meetings are usually held each month in the community, either at Hillside Gym or the Vernon Room in the Health Centre. The meetings/workshops are conducted on an informal, round table basis with opportunity for everyone to voice their thoughts. Each speaker is treated with respect and the Negotiating Team listens with open minds. There are also updates on what is taking place on the Environmental Investigation. Please let your friends and families know that they are welcome to attend. Notices are sent to residents of the First Nation, but due to the cost and timing, we are not able to mail a copy of the meeting notice to those members who live off reserve. Light refreshments are always served. The next meeting will take place on Thursday, February 1, 2007 at 6:00 p.m.

## ROADS RESEARCH REPORT

As part of the Position Paper tabled with Canada, the First Nation wanted a report done on the roads at the former Camp Ipperwash. Joann McCann, a research consultant contracted to Special Claims at INAC presented a report at the Community Meeting held on Tuesday, October 26/06. Joann finished her report last year by researching maps and records that were available. The results of Joann's presentation indicate that further research should be done on the treaties for the description of the exact boundaries of Stoney Point. There were only 3 takings of land for roads prior to 1942 and they were taken under Section 48 of the 1927 Indian Act. The OIC and the indenture were silent about the internal road allowances between Lot 8 Conc. B and Lot 8 Conc. C. . Fore-shore rights claimed in oral history is another area that will need to be researched. The only loss of land after 1942 totaled 3.163 acres for roads.

Copies of Joann McCann's Roads Research Report are available in the Negotiations Office.



### MEMBERS OF CKSP NEGOTIATING TEAM:

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 Lorraine George, Negotiations Coordinator  
 Robert Bressette, Sr.  
 Yvonne "Bonnie" Bressette  
 Peter B. Cloud, Sr.  
 Mark George  
 Elwood George  
 Bill Henderson, Legal Counsel  
 Jonathon George, Legal Counsel  
 Wayne Greer, Lead Negotiator  
 Greg George, Project Administrator for the Investigation Agreement  
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