

# McClung deal could set bad precedent

By Jim Windle

**OHSWEKEN** – A former employee of Six Nations Lands and Resources has brought to light some of his concerns regarding the deal signed between the Six Nations Elected Council and the McClung Road development, known now as Avalon Homes in advance of this Thursday night's third and final community information meeting at the Six Nations Community Hall to explain the McClung, Avalon development project, in Caledonia.

Doug Whitlow, who graduated UBC with a B.A. in First Nations Studies in 1995, upon returning to his home community in 1996, took a job with Six Nations Lands and Resources as Assistant Wildlife Officer under Paul General.

Until he retired at the end of 2015 after nine years in that capacity, part of Whitlow's job was to sift through the notices sent to them through the Grand River Notification Agreement. This agree-

ment made it mandatory for any community within the Haldimand Tract to notify Six Nations of any building or modifications that could impact Six Nations land covered under the Haldimand Deed.

"I was privy to a lot of information and knowledge of how things are done here at the Big 6," said Whitlow. "Especially in Lands and Resources, so I've been aware of the project ever since it started. As Assistant Wildlife Officer, one of my jobs was to enter the mail into a database on the computer. From there I'd take the hard copy and send that over to Lands and Resources. The people there would enter the data into their data base. So I knew everything that was going on."

In the fall of 2014, he says he began to receive notices about the McClung Development project, about which he says, "Everybody that I am aware of in Lands and Resources didn't want it to happen. They were totally opposed

to it because it was a big project, they were going to use our water, and use land within the Haldimand Tract in Caledonia once again even with DCE (Caledonia) still on everybody's mind."

Elected Council lawyer and member of the Consultation and Accommodation Team (CAT), Lonny Bomberry disagrees with Whitlow's evaluation, and explained the situation from his vantage point.

"The struggle we had was getting a meeting with Avalon," said Bomberry. "We got that meeting last May."

He went on to explain that there was a conflict over a poorly done archaeological assessment. After involving the Ministry of Culture, Tourism and Sports, a new survey was ordered and is presently being done by Archaeological Services Inc.

When 200 acres of land was added to the agreement, in what many say was a take-it-or-leave-it final offer by Avalon, Elect-

ed Council took the offer rather than risking getting nothing out of the deal.

Although retired, Whitlow remains vigilant to this and other projects he had become aware of. Now as a concerned private member of Six Nations he feels a need to tell the community what concerns he has as a former Elected Council employee.

"About a month ago, there was a notice in the papers about a meeting regarding McClung and so I attended the first one," said Whitlow. "I wanted to know about this project the Consultation and Accommodation Team had agreed to. When I retired, I figured it was a dead issue and they were not going to go ahead with it."

Whitlow said that at the first meeting at the Community Hall, there were four community members.

"The whole CAT team was there, Joanne Thomas, who heads up the team, Lonny Bomberry, Karen Smith, Phil Monture, and Paul General," said Whit-

low. "There were three from ASI archeological surveyors, but no Avalon developers. They said they were supposed to be there but they must have gotten lost."

There were easels set up but no one gave a presentation, which is what Whitlow would have expected.

"We made small talk, the four of us, but there was no presentation and I went home at around 6 p.m., learning absolutely nothing about the project," Whitlow recalled.

"Last Thursday, I went again to the second meeting and once again it was just four of us there and it was a duplicate of the first meeting. Avalon, (McClung Developers) was not there, only the CAT team.

This time he asked some questions.

"I said, 'you have never brought this before the community before you signed on,'" Whitlow recalls.

After being told there was, he challenged that statement.

"I told Joanne that I don't remember that meeting for this project, and she said, 'oh, it did,'" said Whitlow.

He said he was later told that the meeting Joanne Green was referring to happened two years ago when the McKenzie Meadows project was up for development in Southern Caledonia. She also confirmed that that was the meeting they are using for this McClung project and not any meetings specific to McClung.

Whitlow believes that decision sets a very dangerous precedent, in that now, all future projects could be rubber stamped if the return of some portion of land to be transferred to Six Nations was part of the plan, without specific community meetings being necessary regarding future projects.

"You can't do that," said Whitlow. "Out of that whole McClung project, Six Nations is going to get 200 acres back? How can we

# McClung from page 9

get it back, it's ours to start with. And they are going to graciously give 200 acres back?"

Upon questioning further, it was made clear that the CAT team was given a take-it-or-leave-it offer.

"It was that or nothing," said Whitlow. "Take it or leave it, so they went ahead and took the deal and that is where we are at right now."

Bomberry stands behind Elected Council's decision.

"I don't know if it's improper (to use that previous data), but we did the best we can to be fair and ensure we got some land back which is what the people wanted," said Bomberry.

Even though the CAT team makes these agreements, Dale Bomberry, as SAO, has final say and has to agree on every project that is ever agreed on in this region.

The third and final community meeting regarding the already signed McClung, Avalon project deal is set for Thursday, evening, May 24th.