

HDI negotiating \$5 million deal with NextEra, cease and desist order issued against Capital Power, company fails to consult

By Donna Duric
Writer

The Haudenosaunee Development Institute could be raking in around \$5 million a year through a potential renewable energy project partnership with NextEra Energy Canada Inc.

NextEra is proposing to build wind projects on unceded Six Nations lands throughout Southern Ontario, covering an area even bigger than the 515-acre Samsung project, said HDI lawyer Aaron Detlor at a Confederacy meeting Saturday. The HDI is an arm of the Confederacy Council that manages, administers and oversees developments within Six Nations treaty areas.

Detlor said the HDI is cur-

rently waiting to hear back from NextEra on the compensation deal it's proposing with NextEra and he is confident Six Nations will get a piece of the pie.

"They've been a reasonable company to deal with," he said.

That's not the case with another company the HDI is currently dealing with, Capital Power, which Detlor says refuses to adequately compensate Six Nations for the use of its land just outside of Cambridge. The land in question does not sit within the Haldimand Tract, but just outside, on lands dedicated to Six Nations under the Nanfan Treaty of 1701, he said.

The HDI had proposed be-

coming a 50 per cent partner with Capital Power but the suggestion fell on deaf ears, said Detlor. Capital Power had come back with an offer of only \$1 million a year in compensation but Detlor said that amount was not adequate.

"You can't expect us to settle for less than Samsung," he said, referring to band council's \$55 million deal with Samsung Renewable Energy over a period of 20 years, of \$2.75 million a year.

Capital Power had also offered Six Nations a one-time payment of \$2.5 million but when compared with its estimated \$700 million profit over the project's lifetime, Detlor said that offer was a pittance.

The company "was very much take it or leave it," said Detlor.

He also revealed there was an "indication" Capital Power was negotiating a deal with elected council, as well.

The HDI has since gone to the company's board of directors to try and negotiate a fair deal, he said, and told them the company has to fairly negotiate and compensate Six Nations.

He said the company could face a Confederacy imposed cease and desist order if the company attempts to continue with the project without the consent of the Confederacy.

Detlor said the HDI is currently in talks with about 10 different companies and en-

ties over development projects in Southern Ontario, whether on the Haldimand Tract, or in the Nanfan Treaty area.

They have scheduled meetings with Hydro One and Niagara Wind and were instructed by the Confederacy to issue cease and desist orders against the builders of a 407 expansion and a development in Brantford being led by Brookfield Homes.

Ironically, the owner of Brookfield Homes is the husband of former Indian Affairs Minister Jane Stewart, who also played a key role in the negotiations between the Confederacy and government officials in the aftermath of the land reclamation in Caledonia in 2006.

Detlor said the company is planning a major development of homes within Six Nations' unceded Johnson Tract, north of Brantford, and that his discussions so far with the developer have been unfruitful.

Detlor said there was an indication band council was considering surrendering the lands in the Johnson Tract at a price of \$100,000 for each home built in the development. He did not provide proof of the claim. Elected Chief Bill Montour denied the claim.

The Confederacy Council instructed the HDI to issue cease and desist orders to Brookfield Homes, the Hwy. 407 expansion, and Capital Power.