

First Nations' land claim over North Sauble in mediation

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By Nelson Phillips, Warton Echo

Hundreds attend citizens' meeting about first nation claim to stretch of Sauble

There's no deal to extend Saugeen First Nation control over more of Sauble Beach north of Main St. and the public would be consulted before such a move, South Bruce Peninsula officials say.

The town is now involved in mediation involving a claim to more of the beach by the First Nation, according to a news release issued by the municipality on Wednesday.

Meanwhile, the citizens group Friends of Sauble Beach and others plan a public meeting Saturday morning to discuss the issue. The town and First Nation are not involved.

"This matter is still proceeding to litigation; and in an attempt to avoid significant costs to taxpayers for the town to engage in what may be a lengthy litigation process, the town is participating in a mediation process to protect the public's interest in Sauble Beach," the town news release says.

"We aren't able to tell anything about it," said South Bruce Peninsula administrator Jacquie Farrow-Lawrence. "We're not permitted to talk about it, because it's still in litigation . . . We do know that the First Nations did not receive all of the land as part of the treaty.

"Prior to any decisions being made, a public meeting process will be held that is sanctioned by the town and information will be provided at that time."

A flyer advertising the Friends of Sauble Beach meeting, to run from 9:30 to 10:30 a.m. at the Sauble Community Centre, says it will address questions about what the treaty really says, what part of the beach has been claimed by the First Nation, how strong the claim is, where the negotiations stand, rumours that the deal is done, why residents are being kept in the dark and what taxpayers can do to stop it.

South Bruce Peninsula Mayor John Close said there has been no formal invitation to individual councillors or to council as a group to Saturday's meeting and he has concerns about what might be presented there.

"We are following normal court proceedings," he said.

Saugeen First Nation Chief Vernon Roote said he has not been invited to the meeting and does not support or endorse information that might be presented.

"That's information that is not meant for the public yet. Before we get into litigation, we have the opportunity to do some mediation. That's where we are now.

"When we get into litigation, that's when it's available to the public. Not before. There is no need to jump to any conclusions. People always jump to conclusions. I wish that the Friends of Sauble and other members of the public would understand that."

Roote said the original survey outlining the boundaries of the Saugeen reserve is available to the public and is stored in archives in Ottawa and London - as well as the Bruce County administration building in Walkerton.

A request to allow the Friends of Sauble Beach to appear as a delegation at South Bruce Peninsula council on Wednesday was defeated almost unanimously.

Only Sauble area Coun. Janice Jackson voted in favour of receiving the delegation.

"The Friends of Sauble have come forward with a lot of information like the original treaty and land claim for Sauble Beach. Personally, I think given the times and the situation we're in right now, that it would be a fantastic idea. More information is better than less information," she said.

Jackson said although the Friends group was turned down by council, they invited council to attend the meeting.

The town's lawyers recommended council not receive the delegation.

A lawsuit was filed by the federal government on behalf of the First Nation in 1990 with the intent of reclaiming land for the band. In 1995 Saugeen First Nation filed its own suit.

After little action for about seven years, the case heated up again in 2012. That September Doug Carr, Ontario's assistant deputy minister for aboriginal affairs, briefed South Bruce Peninsula council in a closed-door session about the claim, which at one time was reported to encompass as far north as Seventh St.

Whether that's the area still under consideration is unclear. The town noted in its news release all parties involved have signed confidentiality agreements.

"Such confidentiality agreements are typically signed whenever parties to litigation enter into settlement discussions in order to facilitate a frank and open airing of the issues. However, all parties understand that no final settlement of the issues will occur without a consultation and approval process appropriate to the various parties involved," the release said.

The May 2013 Saugeen First Nation council newsletter states: "almost all of the land along what is now called 'Sauble Beach' was promised to us in 1854 as part of Treaty No. 72. This land was reserved for us, including the portion of beach just south of the mouth of the Sauble River . . . [Charles Rankin] drew a map of the township that records this information. The Treaty, the survey, and the map, all clearly marked the extent of our territory."

The newsletter goes on to say "it is time to get this claim resolved once and for all. This is a deeply important issue for our people, restoring our reserve to what was promised in 1854 when we signed Treaty No. 72. For too long have we waited for Ontario and Canada to recognize our rightful claim and correct this historical wrong. We can wait no longer."