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## RESPONSES

Re: Cold Lake and Canoe Lake

(Primrose Lake Air Weapons Range) Inquiries

Ronald A. Irwin, Minister of Indian Affairs and Northern Development,  
to James Prentice and Daniel Bellegarde, Co-Chairs,  
Indian Claims Commission, March 2, 1995

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Re: Young Chipeewayan Inquiry

Ronald A. Irwin, Minister of Indian Affairs and Northern Development,  
to Daniel J. Bellegarde, Commissioner, Indian Claims Commission,  
February 23, 1995

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Re: Micmacs of Gesgapegiag Inquiry and

Chippewas of the Thames Inquiry

Ronald A. Irwin, Minister of Indian Affairs and Northern Development,  
to Dan Bellegarde and Jim Prentice, Co-Chairs, Indian Claims  
Commission, March 1, 1995

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RESPONSE TO COLD LAKE AND CANOE LAKE INQUIRIES

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Minister of Indian Affairs  
and Northern Development



Ministre des Affaires  
indiennes et du Nord canadien

Ottawa, Canada K1A 0H4

Without Prejudice

MAR - 2 1995

James Prentice, Q.C.  
Daniel Bellegarde  
Co-Chairs  
Indian Specific Claims Commission  
Suite 400, 427 Laurier Ave. West  
OTTAWA ON K1P 1A2

Dear Mr. Prentice & Mr. Bellegarde:

I am writing concerning the report of the Indian Specific Claims Commission (ISCC) on the claims of the Cold Lake First Nations and Canoe Lake Cree Nation regarding the establishment of the Primrose Lake Air Weapons Range (PLAWR). As I indicated in earlier correspondence, the report raised many significant and complex issues. After much careful consideration, I am now responding to your report on behalf of the Government of Canada.

I was very impressed by the care and attention that the ISCC gave to the handling of the issues involved and to the public hearings. The historical facts were clearly presented and the personal testimony you recorded from many of the individuals affected by the establishment of the PLAWR were compelling. These facts have convinced the Government of Canada that steps should be taken to resolve the grievances of the Cold Lake and Canoe Lake Cree First Nations documented in your report.

In reviewing the ISCC Report, the Government of Canada continues to believe that there has been no breach of treaty or fiduciary obligations that would qualify these claims for acceptance under the Specific Claims Policy. However, in light of the unusually severe impacts which the establishment of the PLAWR had on these two

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communities, I am writing to the chiefs of the Cold Lake First Nations and the Canoe Lake Cree Nation offering to initiate negotiations to achieve a settlement. The settlement would be aimed at improving the economic and social circumstances of these two First Nations and to resolve the claims and grievances of the First Nations in relation to the creation of the PLAWR. Copies of my letter to the chiefs are attached.

I would like to commend the Commission for this informative report. I hope that the Cold Lake First Nations and Canoe Lake Cree Nation and the Government of Canada can work cooperatively on this initiative.

Yours truly,



Ronald A. Irwin, P.C., M.P.

c.c.: The Honourable David Collenette, P.C., M.P.

RESPONSE TO YOUNG CHIPEEWAYAN INQUIRY

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Minister of Indian Affairs  
and Northern Development



Ministre des Affaires  
indiennes et du Nord canadien

Ottawa, Canada K1A 0H4

FEB 23 1995

Commissioner Daniel J. Bellegarde  
Indian Specific Claims Commission  
Enterprise Building  
427 Laurier Avenue West, Suite 400  
P.O. Box 1750, Station "B"  
OTTAWA ON K1P 1A2

Dear Commissioner:

On behalf of the federal government, I am replying to the report on Canada's rejection of the Young Chipeewayan claim. First, I thank you for the report. I note that your findings support Canada's conclusion on the ineligibility of this claim under the Specific Claims Policy.

With regard to the second recommendation, I am advised that the Young Chipeewayan members who joined other First Nations in the 1880s would likely have been *eligible to be counted as landless transfers for the purpose of settling treaty land entitlement (TLE) claims of those First Nations under the 1992 Saskatchewan TLE Framework Agreement.*

To verify this conclusion, and also to determine if your second recommendation could have a bearing on other First Nations in some other way, I understand the Federation of Saskatchewan Indian Nations has sent the Specific Claims Branch and the Research Funding Division of my department a proposal for funding the costs of research, analysis and meetings with affected First Nations. The proposal is presently under review.

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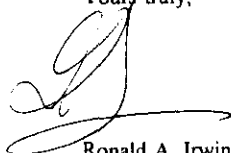
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would like to clarify some of the observations of the Commission in the body of your report concerning the use of a Date of First Survey (DOFS) shortfall to determine whether a TLE claim can be accepted for negotiation and settlement. Canada's position is that it has an outstanding TLE legal obligation only if a claimant First Nation did not receive sufficient land, based on a DOFS population comprising its base payroll, absentees and arrears. *This is the threshold test for an outstanding legal obligation with regard to TLE claims.* Other categories such as landless transfers, late adherents and so on, may be considered only where a DOFS shortfall has been established and then only if the settlement negotiations have brought these categories into play as in the 1992 Saskatchewan Framework Agreement.

Again, congratulations on concluding your report on the Young Chipeewayan claim and thank you for your recommendations on the subject.

Yours truly,



Ronald A. Irwin, P.C., M.P.

RESPONSE TO MICMACS OF GESGAPEGIAG AND CHIPPEWAS OF THE THAMES INQUIRIES

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Minister of Indian Affairs  
and Northern Development



Ministre des Affaires  
indiennes et du Nord canadien

Ottawa, Canada K1A 0H4

MAR - 1 1995

Mr. Dan Bellegarde  
Mr. Jim Prentice  
Co-chairs  
Indian Claims Commission  
427 Laurier Avenue West, Station "B"  
OTTAWA ON K1P 1A2

Dear Messrs. Bellegarde and Prentice:

This is to acknowledge receipt of the reports on the Micmacs of Gesgapegiag Inquiry - Claims to Horse Island, and the Chippewas of the Thames Inquiry - Muncey Land Claim, issued by the Commission in December 1994.

You may be interested to know of the progress which has been made in resolving these two claims. On the Muncey land claim, the members of the Chippewas of the Thames First Nation voted on January 28, 1995 to accept the settlement agreement. On the Horse Island claim, the Micmacs of Gesgapegiag have asked that it be held in abeyance pending the decision of the Supreme Court of Canada in a related case.

I am pleased to learn that the progress on these claims is due, in large measure, to the advice your Commission provided.

Yours truly,

A handwritten signature in cursive script, appearing to read "R. Irwin".

Ronald A. Irwin, P.C., M.P.

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