



# Who and what is the HDI

By Jim Windle  
SIX NATIONS

With so much confusion and frustration over the Haudenosaunee Development Institute (HDI), among developers, municipalities and even Six Nations citizens in relation to the continued development of contested Six Nations land, Tekawennake conducted an exclusive interview with HDI interim board member Hazel Hill to try to unravel the issue. Hill felt that an explanation was needed and the Tekas agreed.

There have been conflicting opinions, some of them quite strong, from all concerned over the authority, function and feasibility of the HDI as it is presently structured.

According to Hill, the HDI is a result of the mandate given the Confederacy Chiefs by the people of Six Nations more than two years ago to do something about the out of control development on contested Six Nations land.

"When the Confederacy took the lead role (in land claims

possibly the Mohawk Workers and from the general public.

The Chiefs deferred that decision and asked Detlor and his team to carry on as an interim board. That was months ago and there has still been no community board struck, for reasons unknown.

"I realize we haven't been doing enough to explain the HDI to the people," admitted Hill. "But we are working on that and that's why I wanted to talk to you."

She says they will be posting a full time position to head up their communication department, but that has not happened as yet.

Early promises to conduct a series of community meetings to receive input and to ratify the HDI mandate with the people, have also gone unfulfilled. Now the HDI stance is that the

swallow. That would be to sign a land use agreement which, in essence, recognizes the land title in question as belonging to Six Nations.

After paying full pop to the Ontario or municipal governments for what they believe to be the outright purchase of a plot of land, they will be asked to forfeit that title back to Six Nations without compensation, for the right to build on it.

But Hill explains that the idea is to encourage true partnerships with Six Nations that would see a portion of any monies derived from that property come back to Six Nations as Joseph Brant and the Confederacy set it up to be long ago.

From Six Nations' vantage point, this makes perfect sense, but from a developer's perspective, the plan has been likened to extortion by some.

"This is nothing new we are talking about here," says Hill. "We are only trying to restore the original plan for the perpetual care and maintenance of our people and I believe the HDI can do that."

But as history has proven, for this plan to work, it will require cooperation from the government in accepting and endorsing it, which at this point is a long shot at best.

Wouldn't entering into such an agreement with the HDI strongly suggest that some projects will go through? And if so, which ones?

"I think paying the application fees in itself doesn't suggest anything of the sort," Hill says.

But if there is no hope of getting a project past the HDI board, why would anyone want to deal with the HDI program?

"There's no guarantees with paying municipal fees either," she says, but admittedly, there certainly is a much better chance given that the municipalities want to see the development as much as the developers do.

Although most Six Nation people would agree that something like the HDI is important, it may not be the HDI as it presently stands that will eventually emerge.

Questions about where the fees paid to date have gone have been answered satisfactorily by the HDI.

According to Hill, not a dime of any money collected to date has been spent and won't be spent until the new board of directors is put in place to oversee the program.

The present four interim board members insist they have paid all expenses so far out of pocket.

So when will the board of directors be selected? No one seems to know. But in the meantime, the interim board continues to design the program on the fly and developers are left wondering what to do and where to turn for some kind of assurance. The province seems to be saying, "You're on your own," and HDI advocates Ruby and Floyd Montour are saying "pay-up or we'll stop you."

Until the federal and provincial governments change their ways the direct action of physically blocking development may remain Six Nations only course of action, with or without the HDI.

The ball remains in the federal government's hands despite everyone's best efforts.

***"This is nothing new we are talking about here. We are only trying to restore the original plan for the perpetual care and maintenance of our people and I believe the HDI can do that."***

- Hazel Hill

negotiations) they were asked to do something to stop development," said Hill. "In the first year of talks before the HDI was formed, there was a consultation side table. Through that we offered a way to move this forward with a Haudenosaunee mechanism. But the province and the federals pushed it aside."

As a result, according to Hill, the Chiefs sanctioned the HDI, a concept spearheaded by lawyer Aaron Detlor along with Brian Doolittle, one of the architects of the Red Hill Valley Expressway agreement, and Ron Thomas.

Hazel Hill was brought on board later.

The original trio was mandated to design a facility by which development of Six Nations land could be monitored and facilitated.

Since 2002 when the Supreme Court of Canada ruled in three separate land claims cases that meaningful consultation and accommodation is required when developing contested First Nations land, the previous Grand River Notification Agreement, which only required that Six Nations be informed of development plans along the Tract, became obsolete.

Even so, municipalities, developers, as well as the provincial and federal governments have been purposefully slow in their acceptance of the changes in their own law and have continued the status quo of notification only, rather than consultation and accommodation as demanded by law.

Something had to be done, and so the concept of an HDI type organization was birthed.

When Detlor and the others had completed the template for the HDI, as per their mandate given by the Chiefs, Detlor addressed the Confederacy at the Onondaga Longhouse and handed the report over, stating that the plan was ready for their consideration. But he reminded the Chiefs that there was still the need to decide who, in fact, was going to run the organization. A board was to have been formed with representation from the Elected Band Council, the Confederacy,

mandate came from the Chiefs who represent the people, and so, therefore, the people have given their approval. Some would agree with this line of thought but others do not.

Even as it stands today, the demands that developers pay application fees before they begin any development project within the Haldimand and Nanfan Territories has serious flaws since there is still no official board of directors in place, only interim members, and the details of any such agreements with developers is sketchy at best.

As it sits today, there is very little incentive for a developer to enter into any such contract with the HDI. They have sent notices out to financial institutions, real estate firms, banks and municipalities explaining the new paradigm, but more has to be done.

Developers are being asked to pay thousands of dollars in application fees with no guarantee that their projects will be approved, or that direct action would not stop their projects in their tracks anyway. Meanwhile, the province is telling developers not to deal with the HDI despite trying, at the same time, to bring the Institute to the negotiation table which would be recognizing them as a legitimate organization.

It's no wonder there is confusion.

Hill explained how the process is designed to work.

If a developer pays his application fee and comes with a plan to redevelop land, according to Hill, he is to comply with Haudenosaunee standards of ecology and respect for the land. Virgin bush area will be the hardest for the developers to obtain any agreement with the HDI for since these issues involve the 1701 Nanfan Treaty right to uninhibited hunting, fishing and farming for the Haudenosaunee people throughout most of Ontario.

If they are able to get over that first hurdle, they would have to undergo the same archaeological and environmental assessments they would have to do under Ontario law.

The next step would be the hardest pill for developers to



Hazel Hill

## Send a message into the future

The Haldimand Proclamation Committee invites all community members to stop at the I.D.L.A. table to write in the specially designed book for the time capsule. Alva Martin will be at table during the community yard sale on May 17 from 9 am until 1 pm. Also on Bread and Cheese Day.

The Committee wants to give everyone time to think of a

comment to write, e.g., about your sports team, your leisure activity, your children, grandchildren, the weather, whatever event you want to mention or what we have lived through. Maybe changes you've seen in your lifetime.

The time capsule is tentatively scheduled to be opened in 2134, the 350th anniversary of the Haldimand Deed document.

## Seneca Longhouse Breakfast

Sunday, May 11<sup>th</sup>, 2008  
8:00 - 11:00 am  
2938 5th Line

Adults: \$6 Children (under 6 yrs): \$3

