

KANAWAKI GOLF CLUB
COMMUNITY CONSULTATION PROJECT
FINAL REPORT



Submitted by Linda Delormier, April 25, 2017

KANAWAKI GOLF CLUB COMMUNITY CONSULTATION PROJECT

This report was prepared by a consultant, Linda Delormier. The views and interpretation expressed in this Report are the views of the Consultant and do not necessarily represent the views of the Mohawk Council of Kahnawà:ke, Indigenous & Northern Affairs Canada, Kanawaki or those that participated in the surveys.

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BACKGROUND

There are 224.4 acres of reserve land held under the Kanawaki Golf Club Lease Agreement. 8.85 acres are collectively held in common and 215.5 acres are privately held land lots. To date, there are approximately 60 registered title holders of this land.

The Kanawaki lease is a long-term lease which covers a period of 136 years. The original lease was signed in 1910. There have been 12 leases since that time. The last renegotiation/renewal of this lease was signed in 1974. There are three signatories to this 1971 lease: The Minister of Indian Affairs and Northern Development, The Kanawaki Golf Club and The Mohawk Council of Kahnawà:ke. The private land holders agreed to the rental amounts and also signed a schedule to the lease (with the exception of estate lots, which were signed by The Department of Indian Affairs).

The term of the 1974 lease was 50 years commencing (retroactive) on December 1, 1971 and terminating on November 30, 2021. Within that lease, the rents were renegotiated and a clause was included giving the Kanawaki Golf Club an option to renew the term for an additional 25 years, commencing December 1, 2021 and ending November 30, 2046. The option to renew must be exercised by notice given by the Kanawaki Gold Club to the Crown (Department of Indian Affairs) on or before December 1, 2020. Should Kanawaki exercise this option to renew, the rents must also be re-negotiated in 2021.

The individual landholders are represented by Canada under the terms of the lease agreement. The MCK holds interest in the common land and for the communal interest in the individually held land, and will be involved in negotiations in that capacity.

In 2021, if the rents are not agreed to by all parties, the matter will go to Canadian arbitration. In this case, three arbitrators would be chosen. One arbitrator would be chosen by Kanawaki, one arbitrator would be chosen by the Department of Indian Affairs, and the third would be chosen and agreed to by the first two. If any of the parties do not appoint an arbitrator, either party can designate the Federal Court of Canada or its successor court as an arbitrator.

EXECUTIVE SUMMARY

PURPOSE:

The public consultation will help to inform the community about the history of the Kanawaki Golf Club and the lease. It will attempt to receive input and feedback about the future of the Kanawaki Lands.

METHOD:

The method used during this project was to conduct a two phase consultation; the first phase (October - December 2016) being to educate the lot holders, including affording the Kanawaki Golf Club the opportunity to address the lot holders directly. The second phase (January – April 2017) was to conduct and gather feedback from the lot holders on the current lease. The feedback needed was: a) to gauge the satisfaction level of lot holders with the current lease; and b) to gauge opinions on the intent of the lot holders on the future of their lands beyond 2046.

It has been imperative that we ensure the process be as transparent as possible in order to receive the highest quality feedback possible in an attempt to learn various current landholder and community opinion, as well as details for the future of the lease (i.e.: what do landholders want to do with their land beyond 2046).

For both phases, a direct phone survey format was used where data can be collected to accurately gauge landholders. Questions in phase 1 focused on education while phase 2 had more direct questions related to the purpose of the consultation. Any Community member who wished to have feedback was also surveyed to represent the Community interest in the lease, but the main goal was to engage landholders directly.

KEY RESULTS:

The results of this process suggest that the landholders want be treated fairly in terms of the rental amounts. Almost all respondents are not satisfied with the amount of money they currently receive. It was also just as consistent however, the opinion that “this is not just about money”. There seems to be mistrust for Kanawaki, INAC, and to an extent, the Mohawk Council of Kahnawà:ke as well. This mistrust originated in my opinion with the lack of power and lack of any voice, the landholders feel they have with regard to the lease. It should be noted that the survey respondents were not the land holders who signed the lease. They inherited it. Most are second and some third generation inheritors of these lands; and it appears that some information about the lease may not have been passed down to those who inherited it.

Resignation until 2046 seems to be the majority of the respondents’ (who understand the process) opinion. However, those who did not completely understand or neglect to look at the information sent to them were still asking to get their land back now.

A concern over the remediation of any environmental damage done to the land was also palpable. Many do not believe they will be treated fairly and that the land may be ruined for anything other than a golf course for the future.

RECOMMENDATIONS:

As previously stated the common thread throughout the survey respondents has been that of unfair treatment by INAC and then feeling powerless against it. This has created such displeasure with the inherited landholders now that were duped, or treated as though they didn't know any better has done more damage than what is completely recoverable.

A consistent effort and a collaborative approach in carrying out discussions with land holders and with the community in relation to the subject of Kanawaki more information will be brought forward about what has happened in the past or what they know now and/or what they want for the future.

Please see full Recommendations beginning on page 23.

COMMUNITY CONSULTATION METHOD

METHOD:

The Kanawaki Consultation Public Relations/Communications Plan 2016-2017 identifying focused activities was developed and carried out, as follows:

Internal Information: Public Relations Team

Kanawaki has approximately 60 individual land holders, some of which do not reside in the Territory. The Community owns approximately 8.8 acres and also has a Communal interest in all lands. The issue of the lease is considered 'contentious' as it appears that the history of Kanawaki is not positive within the Community. Recently Kanawaki has had increased its association with Community members by holding charity tournaments that benefit local non-profit organizations and also welcome local members. We did not know the level of satisfaction current landholders had with the lease prior to consultation.

GOALS:

- To determine the satisfaction level of landholders with the current lease.
- To determine how landholders and the Community feel about the arbitration process and its structure.
- To be as transparent as possible and allow for Kanawaki to be able to address landholders and the Community during the education phase.
- To have two phases. The first focusing on Education and held from October – December 2016. Second to include more in depth consultation and feedback from the community, and held from January-April 2017.
- To find out various details for the future of the lease (i.e.: what do landholders want to do with their land beyond 2046, are there needs now, etc.).

TARGET AUDIENCE:

- All private landholders who own a piece of land as part of the Kanawaki lease.
- All Community members who are concerned with the lease.

KEY MESSAGES:

- There is a 25 year automatic extension until 2046.
- The lease was signed by The Minister of Indian Affairs, Representatives from Kanawaki Golf Club and representative of the Mohawk Council of Kahnawà:ke and consented by the private landholders who signed in the 1970's.
- The documentary name (Green Fees: a History of the Kanawaki Lease)
- Consultation Officer phone & email information.
- "Have your say."

STRATEGY:

- For October, to strictly focus on education of the key components.
- Though the direct target is landholders, allow for any Community member to take part and get materials if they wish. Use Direct Communications to landholders (mail, phone) and general methods for the public.
- Using phone survey methods for direct phone calls to landholders, we can get real data, though the landholders will be called to discuss the lease and be able to share any general thoughts. The survey style in Phase 1 (Education) will allow the Consultation Officer to inform while doing the survey because the questions also serve as information.

OBJECTIVES:

- Create a documentary on the History of the Kanawaki Lease, to get an understanding of the history of both the club & the lease itself.
- Create various ads for Community Meetings & the promotion of the documentary.
- Find the address & phone # of each landholder.
- Create a mailing package to send to all landholders, once their addresses are all found through the Kanawaki Admin Assistant. The mailing package shall include: the lease, a map of Kanawaki and their land, a cover letter and a documentary DVD which is to include the Q & A portion of the documentary launch.
- Invite the president and GM of Kanawaki to the launch event and to take part in the Q & A to a) give them an opportunity to see how Community members feel and b) to be given the opportunity to answer questions.
- Create an official email & phone number so that any Community member concerned with the Kanawaki Golf Club Lease may contact the consultant during the consultation phase.
- Create two online surveys for the Consultation Officers, for direct calls and kiosks, to track incoming information

ACTIONS – PUBLIC:

- Have a talk show on K103 radio during the launch period and to introduce the item to the Community & promoting the documentary launch.
 - Chief Carl Horn & Neil McComber appeared September 2016
- Hold a Documentary launch screening, followed by an open Q & A and film this session
 - Documentary screening at the Legion Hall September 2016
 - Documentary shown on local closed circuit cable TV twice weekly during Community Day for the months of October and November.
 - Documentary and Q&A session DVD sent to all landholders by mail
 - Documentary also made available online via Kanawakilease.com website
 - A few Community members asked for and received copies
- Advertising of Community Meetings and promoting the documentary, using all local media, for each meeting.

- Eastern Door newspaper
- Iorí:wase Newspaper
- K103 radio spots
- Kaná:takon TV (local cable) TV commercials
- Establish an official email (kanawaki.lease@mck.ca), phone number and Facebook page to reach the consultation officer.
 - Launched in October
- Various Press Releases related to all activities (documentary screening, web launch, email & contact info launch, meetings).
 - Sent throughout at various dates (sent to local Community mailing list, local media, Facebook via Busy Bee and Kanawaki Facebook page, kahnawake.com and kanawakilease.com).
- A website dedicated to information related to the lease shall be built and launched by October 2016, launched during the education phase.
 - Launched in early November, remains online through March 2017
- Direct calls (using survey style) to inform landholders (& any Community member who wishes to call) on aspects of the lease, ensure packages were received. And, for Phase 2, to ask direct questions related to the lease.
 - Details in report
- Community Meetings.
 - Other than promotions, each meeting had a KTV segment follow-up done, which was released via YouTube, local TV and websites.
- Kiosks at the Kahnawake Services Complex (Post Office/Social Services/Bank).
 - Details in report

MEETINGS HELD:

- September 2016: Launch Screening of Documentary at Kahnawà:ke Legion Branch 219, followed by Question & Answer session, with a panel that included: Chief Carl Horn, Documentary writer Gage Diabo, Kanawaki General Manager Steve Pert & Kanawaki President Dan Anber.
- October 4, 2016: Community Consultation Meeting
- October 2016 – April, 2017: Several Meetings with the Kanawaki Working Group & MCK. Communications.
- November 17, 2017: Special Community Meeting on Kanawaki Golf Club Community Consultation.
- March 28, 2017: Special Community Meeting on Kanawaki Golf Club Community Consultation
- May 17, 2017: Special Community Meeting on Kanawaki Golf Club Community Consultation Final Report.

PHASE 1: EDUCATION

DATE: October 1 - December 31, 2016

PURPOSE:

The Kanawaki Golf Club Community Consultation - Phase I was structured in order to educate the private landholders and community members on the history of the lease and to gauge their knowledge of said lease.

SURVEY RESULTS:

The following survey excerpt was read to each survey respondent prior to asking the survey questions.

ASK TO SPEAK TO LANDHOLDER: HI, MY NAME IS LINDA DELORMIER. I AM CALLING REGARDING THE KANAWAKI LEASE. I AM THE CONSULTATION OFFICER FOR THIS PROJECT. DO YOU HAVE AT LEAST 10 MINUTES TO TALK ABOUT THE LEASE?

A. Are you a lease holder within the Kanawaki lease?

YES:	40	66.67%
NO:	20	33.33%

ANALYSIS: Surveys Answered: 60; Surveys Skipped: 0

The survey was initially going to be divided into separate categories, one survey exclusively for the lot holders and one survey exclusively for community members. At the working group's suggestion, both categories were ultimately given the same survey.

Landholders were called directly. Community members (non-land holders) were given the phone number to the Consultation Officer and were able to participate as well, of which 20 took part but only Community members who called in or visited a kiosk were surveyed. MCK Public Relations deems 40/54 landholders sufficient as the Consultation Officer reported that the others either did not wish to participate or several attempts were made. Of note, 52/54 landholders directly received their mailed packages as the packages were tracked, etc. The packages included a cover letter indicating the Consultation Officer would be calling and left her phone number, email, etc.

20 Community members participating in the survey is abnormally low. Thus, the results made it impossible to tell how educated the Community was on the lease. However, the goal was to find out the information from land holders, which was achieved. And, when community meetings were held, the majority of landholders in attendance were landholders and/or family of landholders. Also, Community members were not called. Rather, they had to call in themselves or visit a kiosk. Thus, 20 participants cannot be gauged as positive or negative. More importantly, all community members were afforded the opportunity to participate.

B. The MCK produced an information video on the history of the Kanawaki Golf Club. You have been sent a copy on DVD and it is available online. Have you watched this documentary?

YES:	13	21.67%
NO:	42	70.00%
SOME OF IT:	5	8.33%

ANALYSIS: Surveys Answered: 60; Surveys Skipped: 0

Information packages including the DVD were sent via registered mail to 54 lot holders. Of those, only 2 were returned. These 2 were later resent to the proper addressees (estates). Additionally, of the 13 who watched the DVD, the majority watched it at the Legion in September when the documentary was initially screened. Additionally, each survey was predicted to take approximately 20 minutes. And even though 70% did not watch the DVD, call times stayed around 30-35 minutes.

This suggests that information could have been transferred through the families over the years, and or the landholders have maintained their opinion about the subject matter, no matter what they read or watch. Further, the question incited landholders to watch the DVD, which was in their possession at the time of the call.

20 Community members did not watch the DVD. This means approximately half of the actual landholders viewed it. Which also means 50% of landholders did not watch the documentary despite the fact that they had 4 opportunities over the course of Phase I to watch it (online, on local TV, at the public screening and directly on DVD). This may suggest a lack of interest in learning about the lease in approximately half of the landholders. Generally, it appeared that those who did watch the documentary, although they may not have changed their initial hardline approach, they gained understanding and this turned to resignation and dissatisfaction with the process.

C. Each landholder was sent a copy of the lease. Have you reviewed it?

YES:	18	30.00%
NO:	29	48.33%
SOME OF IT:	13	21.67%

ANALYSIS: Surveys Answered: 60; Surveys Skipped: 0

This represents 20 Community members (who weren't given a copy of the lease), which means that 31/40 landholders did review it, which is a good result. This also suggests that there was still a basic knowledge they exhibited about the history and terms of the lease. This also suggests that information could have been transferred through the families over the years; and/or the lot holders attended the initial meeting in September; and/or the lot holders have their opinion about the Kanawaki Lease, regardless of what they read or viewed.

D. The current Kanawaki lease runs from 1971-2021, with an automatic renewal of 25 more years to 2046. How would you rate your knowledge of the lease overall?

VERY GOOD, EXCELLENT, ETC	3	5.00%
OKAY, ALRIGHT, GOOD, ETC	14	23.33%
I KNOW A LITTLE, SOME, ETC	34	56.67%
NOTHING AT ALL	9	15.00%

ANALYSIS: Surveys Answered: 60; Surveys Skipped: 0

The purpose of Phase 1 survey questions were to a) find out how much people knew and b) to inform them directly if there was a lack of awareness. With a low percentage of respondents rating their knowledge of the lease as good or excellent, this allowed the Consultation Officer to educate directly during the call. For those survey respondents who chose “nothing at all”, about half actually did know facts about the lease but were not very willing to participate in taking the survey. The other half really didn't know anything. The 80% who indicated that they had “some to okay” knowledge of the Lease were more open to taking the survey and had some detailed observations and opinions about the lease.

E. Do you have any questions or concerns with the lease?

General trends of the comments made.

The following represents the # of persons who referenced that general item:

NO COMMENT	4
MONEY as a concern..	12
UNFAIR TREATMENT	18
CANCEL LEASE/RETURN LAND	19
LACK OF TRUST (in Arbitration/MCK/INAC)	4
ISSUES with the LEASE	12
DONT KNOW ANYTHING/ENOUGH	9
UNHAPPY WITH ARBITRATION PROCESS	2
HAPPY WITH LEASE	2

ANALYSIS: Surveys Answered: 59; Surveys Skipped: 1

One common thread throughout this entire process has been that with the exception of a few landholders, the majority of them are unsatisfied with the lease. There is an overwhelming sentiment of mistrust of Kanawaki, Indian Affairs and to a certain extent, the MCK. Additionally, there doesn't seem to be any confidence across the board in Indian Affairs capacity to handle this next renewal either competently or honestly. Only two (2) respondents were happy with the lease and dollars is alarming. This being an open question, it is revealing to see that so many respondents referred to their unhappiness with the lease and unfair treatment with it. When participants are given open questions, it is very important to recognize when a large amount of people say that same thing. Additionally, only 12 of the 59 respondents referenced money as a main concern.

F. Do you understand how the amount of royalties you receive from the Kanawaki lease came to be?

YES:	10	17.24%
SOMEWHAT:	14	24.14%
NO:	34	58.62%

ANALYSIS: Surveys Answered: 58; Surveys Skipped: 2

Over 50% of the people surveyed were not aware of how the royalty amounts came to be. Most of the land holders today have inherited the lease from their parents and grandparents before them. With those inheritances, came certain knowledge both factual and emotional surrounding the lease. However, it didn't extend to the more specific details of the lease and the royalties.

This suggests that these details were never understood at the outset with the original landholders. I also got a sense that some of the respondents stated that they “understood somewhat” out of shame embarrassment that it would be discovered that they didn't know very much or anything at all.

Throughout the consultation process, it appeared that the more knowledge of the lease, the less ‘anger’ there was towards it. However, this did not sway people’s opinions on their negativity regarding the unfairness of the lease and of the entire process. This point ties in with the previous question, where money does not appear to be the main motivating factor.

G. A map was sent to you highlighting your land. Have you reviewed the map and do you understand the location and size of your lot?

YES:	28	48.28%
SOMEWHAT:	7	12.07%
NO:	23	39.66%

ANALYSIS: Surveys Answered: 58; Surveys Skipped: 2

Having a tangible image for people to look at was helpful. Most that a responded yes/somewhat could relate to the photos that were sent to them, even if it was the first time viewing it. The other 39% however, were third generation owners and or had the land sub-divided. They did not see the value in knowing exactly where it was. Knowing where a person’s land was is important for potential future landlocked properties.

This lack of knowing where their land is can be directly related to the fact land was handed down through inheritance, etc.... and some land owners do not live in Kahnawà:ke.

**H. Do you know the location of the common land that is leased to Kanawaki?
(For Community Members only)**

YES:	16
NO:	11
N/A:	5
OTHER:	2

ANALYSIS: Surveys Answered: 34; Surveys Skipped: 26

Most respondents, who answered this question, did so after viewing where the common land was on the map. Few knew how small of a portion of the lease was common land, and were surprised that most of the lease was with private land owner. They were under the assumption that MCK had a much larger stake than they actually do have.

Overall, many of the Community members who took part in consultations and are not landholders seem to understand that landholders would ultimately decide, etc. In fact, a few concerned community members did reach out directly to landholders to express their opinions, rather than through the consultation, as we were informed (off the record) by several landholders.

I. Does the map that was sent to you seem accurate?

YES:	19
NO:	0
I DONT KNOW:	23
N/A:	4
OTHER:	13

ANALYSIS: Surveys Answered: 59; Surveys Skipped: 1

The number of respondents who responded yes to this question is consistent with the number who A) read the lease and/or B) had pretty good knowledge of the lease. This suggests that Phase 1 was successful in its objective was to educate the landholders and the community at large.

J. The lease is up for renewal in 2021 for an additional 25 years. Were you aware of this?

YES:	41	70.69%
SOMEWHAT:	3	5.17%
NO:	14	24.14%

COMMENTS/ANALYSIS: Surveys Answered: 58; Surveys Skipped: 2

70% of the respondents were aware that the renewal was coming up in 2021. This was due largely in part to the information packages sent out earlier in October 2016. However, 24% were not aware of the renewal. This is made up in part by the 15% who responded with “nothing at all” in terms of their knowledge of the lease.

70% is large enough to be confident there is enough general awareness that the lease has an automatic renewal clause. At each Community meeting, it was apparent that many went to the meeting hoping to tear up the lease, etc. But, once they became fully aware of the lease renewal clause, such banter faded as the meetings went on, and was replaced with dissatisfaction with the fact that the landholders had no voice in the process.

K. There are three parties responsible for the Kanawaki lease: Kanawaki, the MCK and Indian Affairs. Do you understand that the lease appoints Indian Affairs to work on your behalf?

YES:	40	66.67%
SOMEWHAT:	5	8.33%
NO:	15	25.00%

ANALYSIS: Surveys Answered: 60; Surveys Skipped: 0

I am comfortable in stating that Phase 1’s objective to educating the community and the landholder was reached, given that 40 respondent or 66.7 percent stated that they understood Indian Affairs works on their behalf. Even if the knowledge came only after the information packages were reviewed.

L. Have you ever asked to access Kanawaki’s financial statements?

YES:	1	1.69%
NO:	28	47.46%
I DIDN’T KNOW I COULD:	30	50.85%

ANALYSIS: Surveys Answered: 59; Surveys Skipped: 1

This question was made in error on our team’s part. At the initial documentary screening (in the documentary) in September 2016, the Kanawaki Representative present noted that “community members” could access Kanawaki’s financial statements.

Kanawaki reps clarified that what was meant in the documentary by “Community members” was their club “members” who are from the Community. Any club member can access the financials and there were several Community members who are actually club members.

Our communications team misunderstood it to mean Kahnawake Community Members. One family did request to see their financials and was refused. Others had various years of financial statements, but didn't release how they were able to get them. In any case the question is void.

M. I will call you back between January and March to ask more questions, such as the amount of royalties you want to receive to avoid arbitration and what you want to do with the land in 2046. For this phase, do you have any more questions or concerns?

Trends:

MISTRUST/POWERLESS/ HOPELESSNESS/UNFAIR TREATMENT	16
UNDIVIDED ESTATES	3

ANALYSIS: Surveys Answered: 58; Surveys Skipped: 2

It is very clear that there is no confidence or trust in the ability of INAC in handling these matters. There also seems to be a sense of powerlessness and or hopelessness in being able to do anything about it. The general sentiment received was unhappiness with the lease. The root cause of this is technically unknown. But, a pattern of mistrust has grown for outside entities, including INAC, due to the Seaway, Highways, Mercier Bridge, etc. The negative perceptions resulting from the patterns of mistrust of the past seem to have stayed with the current generation.

PHASE II: GATHERING COMMUNITY FEEDBACK

DATE: January 1 - March 31, 2017

PURPOSE:

The Kanawaki Golf Course Lease Community Consultation - Phase 2 was structured in order gather input from all private land holders and community members, and to obtain feedback on the future of the lease/permit and the lands.

METHOD:

See page 8 for: Kahnawà:ke Consultation Public Relations/Communications Plan 2016-2017.

MEETINGS HELD:

- March 2017: Community Member Kiosk re: gathering feedback re: communal lands.
- March 28, 2017: Special Community Workshop on Kanawaki Lease Consultation.
- May 17, 2017: Special Community Meeting re: Final Consultation Report on Findings.

SURVEY RESULTS:

The name of the landholder and the portion of the lease was recorded and then following statement was read before each survey was conducted:

“HI, THIS IS LINDA DELORMIER, CONSULTATION OFFICER FOR THE KANAWAKI GOLF COURSE LEASE CONSULTATION. IF YOU RECALL, I SAID THAT I WOULD BE CONTACTING YOU AGAIN FOR PHASE II OF THIS CONSULTATION. WE ARE NOW ENTERING PHASE II. DO YOU HAVE AT LEAST 10 MINUTES TO TALK ABOUT THE LEASE?”

“BEFORE WE BEGIN, I HAVE SOME BACKGROUND INFORMATION TO READ.”

“The current Kanawaki lease pays out approximately \$47 K per year. The MCK has been made aware of two land evaluations of the lease and property. One evaluation paid for by Kanawaki in 2014 suggests the lease amounts should be approx. \$58 K per year. Another paid for by INAC in 2015 suggests the lease amounts should be as high as \$284 K per year.”

“As you may know, there’s an automatic renewal for 25 years up to 2046 that all landholders agreed to in 1974. We can only discuss this renewal and amounts at this time. Failure to make an agreement means that the lease renewal amounts would go to Canadian arbitration.

Kanawaki has said they contribute to the Community on the DVD’s you were given. We are now gathering your feedback before negotiations take place.

Negotiations have not taken place yet. Before they do, all parties require your feedback to begin discussions.”

A. What is your level of satisfaction with the amount of money you currently receive? Are you:

VERY SATISFIED:	0	0.00%
SOMEWHAT SATISFIED:	2	5.00%
SOMEWHAT UNSATISFIED:	8	20.00%
NOT SATISFIED AT ALL:	30	75.00%

ANALYSIS: Surveys Answered: 40; Surveys Skipped: 19

38 of the 40 survey respondents were unsatisfied with the amount of money they receive. In addition, at the March community meeting, it was unanimous the over 30 in attendance were not satisfied with the amount of money received. Groups were divided into 3 and held separate discussions. All 3 groups came back with the same response.

Where they differ are in the reasons why. Some stated that it wasn't about the money, but rather that it was about land and the principle of the thing. And that it was time for them to go now. Others were okay with the lease as long as they received more money, and still others were unhappy how all of these events have unfolded over the years and do not trust Indian Affairs or the MCK to move this project forward to ensure an equitable solution for the landholders while maintaining the health of the land.

B. Would you be in favor of having a land evaluation conducted by a neutral evaluator, one who represents the communal and private lot holders directly?

YES:	46	95.83%
NO:	0	0.00%
UNDECIDED	2	4.17%

COMMENTS/ANALYSIS: Surveys Answered: 48; Surveys Skipped: 11

Most survey respondents were open to having another land evaluation done. Their justification was that since two evaluations have already been conducted by the two other parties, it would only be fair.

However it was questioned as to what criteria was used for the first two and why were they so different in their assessment. If another was done, they would like it done fairly (different suggestions by different respondents but the commonality was that it needed to be fair to them).

C. If yes, are you willing to assist in paying for it?

YES:	16	34.04%
NO:	31	65.95%

ANALYSIS: Surveys Answered: 47; Surveys Skipped: 12

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Of the survey respondents who responded yes, (34%) it was with the proviso that we find out how much it would cost to have a land evaluation done first and then to divide that cost between all the landholders.

Of those survey respondents who responded no, it was on the whole because of the historical treatment received by INAC and that they should have to pay for it as a sign of good faith. One person at the Community Meeting indicated being a land owner and not able to pay for such an evaluation as they rely on the income to offset their retirement costs. This appeared to tilt the group to unanimously agreeing that Indian Affairs should cover the cost.

D. Currently, INAC represents your interest in negotiations. Ideally, how would you like your interests as a lot holder to be represented in any negotiations for rental amounts?

MYSELF:	2	4.17%
LAWYER/PROFESSIONAL:	6	12.50%
MCK:	8	16.67%
INAC:	7	14.58%
OTHER:	34	70.83%

ANALYSIS: Surveys Answered: 48 ; Surveys Skipped: 11

March Community Meeting, it was unanimous to have a small group of landholders chosen by landholders to represent them. This appears to be echoed in the “Other” category.

E. Do you anticipate wanting to renew this lease beyond 2046?

DEFINITELY NOT:	18	37.50%
SOMEWHAT UNLIKELY:	4	8.33%
SOMEWHAT LIKELY:	5	10.42%
YES:	2	4.17%
UNDECIDED:	19	39.58%

ANALYSIS: Surveys Answered: 48; Surveys Skipped: 11

Approximately half represent a strong NO on this issue. At the Community Meeting, it appeared as though there was also a strong NO. But, some of the landholders said (off the record) that it depended on the lease renewal. Most landholders represent the Undecided response. It is important to note that only 2 landholders are in favor of renewing the lease as is.

F. If you could change anything in the current lease, what would you change?

NOTHING:	4	8.33%
GUARANTEED JOBS	3	6.25%
ALLOW US TO PLAY THERE	3	6.25%
GIVE BACK MORE TO COMMUNITY	4	8.33%
MORE MONEY	20	41.67%
NEW LEASE	17	35.42%
OTHER	38	79.17%

Trends:

SHORTER TERM	10
OPT OUT CLAUSE /CANCEL IT	3
MORE CONTROL FOR LANDHOLDERS/	14
ENVIRONMENTAL CONCERNS	6
REMEDICATION OF LAND	

ANALYSIS: Surveys Answered: 48 ; Surveys Skipped: 11

No one is happy with all aspects of the lease. Of the 4 survey respondents who answered, “nothing” to this question, it seemed as though some didn't want to identify what was specifically wrong, only that, “it wasn't right what they're doing.” Why this was, could be for many reasons. This indicates that the lease may not be signed by some of the landholders regardless of the results of the negotiations and/or arbitration. The data may suggest that while Community Members appear to simply want to terminate the lease, several landholders basically want more money and more say/control in the lease.

Additionally, this was an open-ended question. Notably, nearly half mentioned more money and nearly half referred to a new lease. 38 people also had OTHER comments. Generally, these OTHER comments referred to the notion of landholders having more say (i.e.: in negotiations/arbitration, etc.), and general unhappiness with lease terms (mostly duration).

G. Are you aware of any non-compliance issues with the lease and/or any environmental Issues with the land that have occurred over the years?

NO:	34
YES:	3
OTHER:	11

ANALYSIS: Surveys Answered: 48 ; Surveys Skipped: 11

Of the survey respondents, only three (3) responded yes to this question. However, many had comments about rumored activities and concerns that they had. i.e.: toxic waste dumping, pesticides that are in line with provincial safety regulations now, but the concern is with 20 years ago and beyond. Fears about the condition of the land and lease contraventions like alleged status card tax fraud and alleged sexual and verbal harassment by Kanawaki management and other staff. More than one Community member has brought it to our attention that what appears to be toxic material was buried in secret at Kanawaki many years ago. These sites should be shared with Environment Protection to dig up to see if it is true. Not many wanted that on record, but many had “off the record” stories as to who had participated in these alleged frauds.

The purpose of this question was to ensure Kanawaki was following the requirements of the lease. However, I am comfortable in stating that there seems to be more here than meets the eye. The landholders and community members have not wanted certain things on the record. This suggests trusting the MCK is still an issue.

I believe with consistent effort and a collaborative approach with the land holders and with the community, they will start talking more about what has happened or what they know about in relation to Kanawaki. Hence, the recommendation to investigate these allegations. In most cases, these allegations are in reference to several years in the past.

H. Do you have a current need for your Kanawaki land?

YES FOR SURE:	10	20.83%
MAYBE YES:	7	14.58%
MAYBE NOT:	3	6.25%
NO:	28	58.33%

ANALYSIS: Surveys Answered: 48 ; Surveys Skipped: 11

Of those survey respondents who do not have a current need for their land. It was made clear that if it was accessible, it would be used. Most are saving it for their grandchildren as they never considered having access to it prior to 2046. Of those survey respondents who do have a current need, a few were adamant that they have it now.

This is an indication that they are not fully knowledgeable and/or have a clear misunderstanding about the details of the lease. These respondents consist in part of those who didn't read the lease or watch the DVD.

I. If the option were available, how interested would you be to trade your land for land that you could access immediately?

VERY INTERESTED:	3	6.25%
SOMEWHAT INTERESTED:	16	33.33%
SOMEWHAT UNINTERESTED:	2	4.17%
NOT INTERESTED AT ALL:	20	41.67%
UNDECIDED:	7	14.58%

ANALYSIS: Surveys Answered: 48 ; Surveys Skipped: 11

This question was asked because if people have a need for their land now, perhaps a trade can be researched to a) give them the opportunity to use land now b) have less undivided, inaccessible lands in the future. C) To see if those who answered YES are also the same people who originally referred to wanting the land back as this shows root cause for not simply wanting more money.

45% of the survey respondents are not interested. Most want to save the land for their grandchildren. However, never before this survey had they even considered having access prior to 2046. 40% of the survey respondents are at least somewhat interested. Of those, the survey respondents who no longer live in Kahnawà:ke were the most interested. The others had various trust issues with MCK and have a “wait and see what MCK is up to” attitude on the subject.

J. What do you anticipate will happen to your land between now and 2046?

GIVE OR TRADE TO ONE FAMILY MEMBER:	14	29.17%
GIVE TO OR TRADE TO MORE THAN ONE FAMILY MEMBER:	13	27.08%
GIVE OR TRADE TO THE COMMUNITY:	4	8.33%
SELL TO COMMUNITY MEMBER:	5	10.43%
SELL IT TO MCK:	1	2.08%
KEEP IT:	20	41.67%
UNDECIDED:	7	14.58%

ANALYSIS: Surveys Answered: 48 ; Surveys Skipped: 11

The point of this question was to find out how many more undivided interests we can expect as that has been the issue with the lease. Since 1973, landholders have more than doubled. If 27 plan to keep it or are undecided, this usually means it will be passed on to all of their children equally (undivided interests).

24 intend to give/sell/trade to one family member/Community member or the Community, which means that approximately half will be further divided. Statistically, if half the current landholders were to have their land sub-divided among their children and if the average landholder has 2 children, then we can guess that landholders will increase by 33% by 2046. This calculation is based on the answers given.

As indicated earlier, most survey respondents want to keep their land and leave it to their family members. There was a lot of concern with regard to subdivision in 2046 and land locked land issues as well. They would like to see some planning happen in that area in the next few years.

Six of the survey respondents were thinking they would sell their land where as in the previous question 19 were somewhat interested in trading to access their land immediately.

K. In 2046, what do you envision for the Kanawaki lands, including your own?

ANOTHER BUSINESS:	5	10.42%
CONTINUATION OF KANAWAKI:	9	18.75%
ANOTHER CLUB:	16	33.33%
BUILD A HOME:	7	14.58%
RUN MY OWN BUSINESS:	1	2.08%
OTHER:	42	87.50%
I DONT KNOW	6	
RESIDENTIAL	9	
GREEN SPACE/NATURE		
CONSERVANCY/FARM	8	
COMMUNITY BUSINESS/PROGRAMS	13	

ANALYSIS: Surveys Answered: 48 ; Surveys Skipped: 11

NOTE: This question was open-ended but we guessed in advance what some of the answers could be and are listed. 42 people had OTHER input, which means they mentioned more than one item. Of those, 9 more references to Housing are made, 10 more references to a golf course (public, new owners or continued as is) and 14 mentioned general community benefit such as natural/greenspace/farmland /business. Some of these responses were made at the final community meeting. So it's difficult to consolidate the information without confusing it.

The survey respondents had a difficult time answering this question. They found it difficult to visualize that far into the future. Only one third see a golf course continuing past 2046. This can be directly attributed to the various issues pertaining to the lease as explained earlier (i.e.: not enough money, negative history, etc.).

For the most part however, their thoughts were for the betterment of the community in terms of social service programming, medicine, nature, farming, residential, etc. There was concern by most about what condition the land will be in by 2046. It's refreshing to see individual landholders want community initiatives for their land. Only 8 people were thinking of strictly individual uses beyond 2046.

L. Do you have anything to ask or to add?

YES	42
NO:	17
OTHER:	

ANALYSIS: Surveys Answered: 46 ; Surveys Skipped: 13

The common thread throughout the survey has been that of unfair treatment by INAC and that they feel powerless against it. In my opinion, this issue has been dealt with backwards from the start. The suggestion that people were coerced or at the very least pushed and rushed through the re-negotiation of the lease may have gotten it done in 1974. But it also set the tone for any future relationship as well. It's uncertain how things occurred at that time, as there are so many contradictory accounts. However, it remains consistent that it has created such displeasure in the people now that they feel duped, or treated as though they didn't know any better has done more damage than I think is completely recoverable. At the very least, INAC and MCK must truly connect and communicate with the landholders moving forward.

RECOMMENDATIONS

As previously stated the common thread throughout the survey respondents has been that of unfair treatment by INAC and then feeling powerless against it. This has created such displeasure with the inherited landholders now that were duped, or treated as though they didn't know any better has done more damage than what is completely recoverable.

A consistent effort and a collaborative approach in carrying out discussions with land holders and with the community in relation to the subject of Kanawaki more information will be brought forward about what has happened in the past or what they know now and/or what they want for the future.

KNOWLEDGE OF LEASE

Main findings

- The consultation revealed that lot holders and the community had varying degrees of knowledge about the lease and renewal process. The level of knowledge improved significantly as a result of this consultation, but it would be fair to say that many lot holders are not fully aware of some of the finer points of the lease/renewal process, even after the completion of our consultation process.

Recommendations

- Keeping the lot holders informed of developments is essential. Furthermore, all parties must be prepared to continue to improve knowledge about the lease/renewal process. It cannot be assumed that all lot holders fully understand the implications of each decision that will need to be made, so information sharing will have to be a part of the consultation for each decision that will be made.

VISION FOR THE FUTURE OF THE LEASE

Main findings

- Despite a strong lean towards not being satisfied with the lease, there was no clear suggestion on what could be included in a new lease, other than more money. The dissatisfaction has more to do with: not having a voice/any power; being dealt with fairly; the length of the lease and the automatic renewal clause with an arbitration process.
- In terms of vision for the future, most indicated that they do not envision the continuation of the lease beyond 2046 (at least not in its current form). Based on the answers received, we can also anticipate that the number of interest holders and undivided interests will continue to increase significantly, thus creating additional challenges for the future.
- Overall, landholders and the Community will not be satisfied unless the lease amount is much higher and based on an evaluation conducted by an “independent” evaluator and/or a new lease is formed, one that gives landholders a voice in the contract.

Recommendations

- Continue to dialogue with lot holders regarding the future of the leased lands.
- Research the viability of purchasing land from landholders who are only interested in dollar amounts. Owners that no longer live or have ties in Kahnawà:ke expressed an interest in this. For example, if a purchase is made, the community could regain land and it would also lower the amount of undivided interests moving forward.
- Research the possibility making land trades. The option is already in the heads of certain land owners, who have the ability to sell or trade to other community members.

REPRESENTATION

Main findings

- The lot holders understood that their interests were currently being represented by INAC.
- During the survey, the lot holders did not express a clear preference as to who should represent them the lease extension process. However, during the March community meeting, the lot holders expressed a strong preference for establishing a sub-committee of land holders to speak on their behalf.

Recommendations

- That INAC consider facilitating and recognizing the establishment of a landholders' sub-committee to speak on their behalf with the MCK/Kanawaki and INAC (without prejudice to the rights of each individual lot holder to individual representation).

RENEWAL/LAND EVALUATION - NEXT STEPS

Main findings

- The overwhelming majority of lot holders are unsatisfied with lease payment amounts and are in favour of having a third land evaluation conducted by a “neutral” evaluator (i.e. not chosen by Kanawaki or INAC)
- The lot holders are divided on the issue of arbitration.

Recommendations

- Explore the possibility of having an independent evaluation completed on behalf of the landholders, at the expense of INAC. The evaluators chosen by a lot holders' sub-committee.

ENVIRONMENT & OTHER ISSUES TO INVESTIGATE

Main findings

- The surveys resulted in lot holders and community members reporting several issues with how the leased lands have been used over the years, mostly pertaining to the environment. Some of these concerns were expressed as fact, others were presented as things they had heard from third parties.
- More specifically, the following investigations of an environmental nature were suggested: the possibility of illegal toxic waste disposal the legality of the reports of mercury being put on greens by workers only being told “don't breathe it”; the “spill” at Kanawaki two years ago (notices were sent to

landholders); and the infrastructure concerns regarding leech fields and sewage issues and potential remediation of land in this area.

- Addition investigations were also suggested pertaining to: the possibility of tax fraud (using employee status cards to avoid tax on food and beverage deliveries); details and potential improprieties around various land sales re: allocation of land.

Recommendations

- Since compliance with laws is the responsibility of INAC under the lease, we recommend that INAC consider the various issues raised above in its consideration of the lease extension process.
- We further recommend that community members be provided an opportunity to provide input to the firm that will be conducting the upcoming Phase II environmental assessment. The community members may have relevant information to share.