

Date : 5/11/2010 9:47:53 AM
From : "Hammond, Vaughn"
To : "Chippett, Jamie"
Subject : RE: Meeting Note - Premier & Min Strahl - April 27
Attachment : 05a - Strahl Meeting Note.doc;
Jamie,

Sorry for the delay. Here it is.

Vaughn

From: Chippett, Jamie
Sent: Tuesday, May 11, 2010 7:47 AM
To: Hammond, Vaughn
Subject: FW: Meeting Note - Premier & Min Strahl - April 27

Vaughn,

Can you email me a copy of this briefing note as soon as possible this morning? Thanks

Jamie

From: Chippett, Jamie
Sent: Tuesday, May 11, 2010 7:46 AM
To: Harvey, Michael
Subject: RE: Meeting Note - Premier & Min Strahl - April 27

Can you email me the final version of this note? Thanks. Jamie

From: Harvey, Michael
Sent: Monday, April 26, 2010 10:26 AM
To: Chippett, Jamie
Subject: RE: Meeting Note - Premier & Min Strahl - April 27

Lana is on her way up with them now. The update folders are being prepared and yours will be up shortly.

Michael

Michael Harvey
IGAS Government of Newfoundland and Labrador
709 729 6267

From: Chippett, Jamie
Sent: Monday, April 26, 2010 10:24 AM
To: Harvey, Michael
Subject: Fw: Meeting Note - Premier & Min Strahl - April 27

When this is ready pls send up a few copies (5) of this specific note to me asap.

Cabinet Secretariat
Executive Council
Government of Newfoundland and Labrador
P.O.Box 8700
St.John's, NL
Canada
A1B 4J6

Sent Via BlackBerry

From: Donahue, Betty
To: Dutton, Sean
Cc: Chippett, Jamie
Sent: Mon Apr 26 09:53:43 2010
Subject: Meeting Note - Premier & Min Strahl - April 27

Sean,

Attached is the Meeting Note – Premier and Minister Strahl for April 27, 2010, Ottawa. 2 copies attached: signed version and Word Document.

B

Betty Donahue
Administrative Assistant to
Minister Patty Pottle

Aboriginal Affairs
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St. John's, NL A1B 4J6

CIMFP Exhibit P-00306

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Meeting Note
Department of Labrador and Aboriginal Affairs
Premier and Minister Strahl
Tuesday, April 27, 2010
Ottawa

Attendees: The Premier and the Honourable Chuck Strahl, The Minister of Indian Affairs and Northern Development (Bio from INAC website attached)

Purpose of Meeting:

Facilitating the earliest Innu Nation (IN) Release of the Lower Churchill by asking Minister Strahl to meet with the leadership of the IN asap to provide the IN with the federal government's bottom lines on the four key land claim AIP issues identified by the IN.

Background and Current Status

- ➔ The New Dawn Agreement of September 26, 2008 established the framework for concluding a land claim Agreement-in-Principle (AIP), the Lower Churchill Impacts and Benefits Agreement (LC IBA), and the Upper Churchill Redress Agreement (UCRA) with the IN.
- ➔ The LC IBA, UCRA, and an Innu-NL Bilateral AIP were initialed on February 16th.
- ➔ The Innu have always maintained that there would be no ratification vote on LC IBA or the UCRA until a trilateral AIP was concluded with the federal government.
- ➔ The IN has felt that it has to maintain the linkage between the release of the LC and the trilateral AIP, because the IN has thought once the LC is released NL will have gotten what it wants, and so NL's desire to conclude the land claim agreement will be severely reduced or eliminated.
- ➔ Negotiations on the trilateral AIP are continuing.
- ➔ It is anticipated it will take at least another year to conclude a trilateral AIP that meets federal requirements. Reasons for this:
 - There are federal chapters/issues that are not finalized.
 - Federal negotiators and counsel continue to raise substantive and drafting issues on the bilateral AIP that in the view of NL and the Innu can be dealt with at a later stage.
 - The Innu view of self government and its financing is novel.
 - Relatively long process for federal cabinet approval of an AIP.
 - Also, there are four significant federal issues outstanding.
- ➔ The Innu recognize the long time required by the federal process and appear to be seeking a way to hold a ratification vote without concluding a trilateral AIP.
- ➔ To that end, IN wrote the Minister Strahl on June 4, 2009 asking for a meeting with the Minister to resolve the four key federal AIP issues, which are:



- ➔ The Innu appear to think if they can get these four issues resolved, they may be able to hold the ratification vote needed to release the LC.
- ➔ There have been at least two meetings with Minister Strahl's Chief of Staff on these issues, but not much progress has been made.
- ➔ Very recent indications are that Minister Strahl is now prepared to personally meet with the Innu on these issues as he committed to Minister Pottle in October of 2009.
- ➔ Indications from INAC to NL at the officials level is that Canada has little if any flexibility to accommodate the Innu on these issues for fear of the precedent it will set for land claims across the country, including settled claims, and INAC is not disposed to accept that the Innu are unique because of NL's Confederation.
- ➔ Still the Innu need to be advised of this by Minister Strahl personally, so that they can decide whether what they have is sufficient to hold a ratification vote.
- ➔ While the Innu believe there may be federal latitude on these four issues there will very likely be no ratification vote, since they will await the better package.
- ➔ Also, the federal Government could be asked to endorse the LC AIP Chapter.
- ➔ Since the initialing of the New Dawn Documents on February 16, the political dynamics of the Innu has changed with the recent election of two new Chiefs and band councils at Sheshatshiu and Natuashish, and the recent resignation and reinstatement of Peter Penashue as Deputy Grand Chief of the IN.
- ➔ The two new Chiefs objected to the reinstatement, by IN Grand Chief Mark Nui, of Peter Penashue without a by-election.
- ➔ However, a recent vote by the IN's Board of Directors did, by a narrow margin, confirm Peter Penashue as Deputy Grand Chief of IN.
- ➔ As a result, the two new Band Chiefs are calling for immediate IN elections rather than waiting for the IN election scheduled for September.
- ➔ Mark Nui, the Grand Chief of IN, has rejected early IN elections.
- ➔ As well, the new Natuashish Band Chief, Simeon Tshakapesh, and Mark Nui also of Natuashish, appear to be at odds with each other.
- ➔ The former Band Chief at Natuashish may have commenced a challenge to the recent band council election at Natuashish in Federal Court.
- ➔ New Dawn does not appear to be a point of division at the moment between the Band and Innu Nation Chiefs.
- ➔ With this Innu political state, a ratification vote may not be desirable at this time.
- ➔ However, there are more Aboriginal groups than the IN with an interest in the LC.

- ➔ A release by the IN does not mean that any legal obligations to consult and accommodate other potentially affected Aboriginal groups have been discharged.
- ➔ All potentially affected Aboriginal groups are engaged by the LC EA on Generation, which groups include not only the IN, but the Nunatsiavut Government (NG), Quebec Innu groups, and Nunatukavut (before April 13, known as the Labrador Metis Nation).
- ➔ The Labrador Aboriginal Training Partnership (LATP) was announced on Feb. 11 with Nalcor, the IN, the NG, and Nunatukavut as the four partners of the LATP.
- ➔ The LATP could be considered as a form of accommodation to the Aboriginal partners of the LATP.
- ➔ However, the Quebec Innu are not included in the LATP.
- ➔ Minister Strahl on March 26 announced “that Canada is moving to create a forum for talks between Innu residing in Quebec and Newfoundland and Labrador regarding their overlapping claims.”
- ➔ Since federal policy requires the resolution of overlapping claims before a final land claim agreement can be brought into effect, this is not remarkable.
- ➔ A similar process occurred between the Labrador Inuit Association (LIA) and IN, and between the LIA and the Nunavik Inuit of Quebec.
- ➔ However, the Innu overlap talks may not produce an agreement, and may not remove Quebec Innu challenges to the LC.
- ➔ Also, the IN may continue to raise issues in the LC’s environmental assessment.

Potential Speaking Points and Proposed Actions for the Meeting

- The Premier should ask the PM and Minister Strahl to convey the federal bottom line to the Innu on the four key federal issues asap; and
- The federal government should also be requested to endorse the LC AIP chapter.

Potential Follow Up Actions As a Result of the Meeting

- After the noted conveyance of the federal bottom lines on the four key federal issues, the Premier should have a bilateral meeting with the IN leadership and the Band Chiefs to advise the Innu that they now have all the major components of the arrangements; and that the Innu must hold a ratification vote on the New Dawn documents now, if there is to be any reasonable prospect of the Innu securing the benefits of the LC IBA, UCRA, and the AIP (as the AIP stands at the time of any such vote).

Prepared by Aubrey Gover, ADM (Aboriginal Affairs), April 26/10

Approved By Sean Dutton DM Dept. of Labrador & Aboriginal Affairs (A), April 26/10

Approved by The Honourable Patty Pottle April 26/10

The Honourable Patty Pottle

Minister Responsible for Aboriginal Affairs

INAC's Website Biography of Minister Strahl

Chuck Strahl was first elected to the House of Commons in 1993. He was re-elected in 1997, 2000, 2004, 2006 and 2008.

He was sworn in as Minister of Indian Affairs and Northern Development Canada, and Interlocutor for Métis and Non-Status Indians in August 2007 and Minister of the Canadian Northern Economic Development Agency in August 2009.

Since then, Mr. Strahl has worked in partnership to improve the lives of Aboriginal peoples on many fronts, including economic development, housing, safe drinking water, land claim settlements, and the extension of human rights protection for First Nations on reserve.

Mr. Strahl introduced the Specific Claims Tribunal Act in the House of Commons in November 2007, which will create an independent tribunal of superior court judges to help resolve the specific claims of First Nations and accelerate their resolution. He also stood with Assembly of First Nations Chief Phil Fontaine to launch the Truth and Reconciliation Commission in the spring of 2008.

Prior to his work as Minister of Indian Affairs and Northern Development, Mr. Strahl served as Minister of Agriculture and Agri-Food Canada and Minister for the Canadian Wheat Board.

Mr. Strahl was born in British Columbia and was raised in the Fraser Valley. He proudly serves the constituents of Chilliwack-Fraser Canyon. Prior to his election to the House of Commons, he was a logging contractor.

He and his wife Deb have four children.