

Judge urges truce in mining dispute

Natives, prospectors told to seek compromise

Suzanne Ma, The Ottawa Citizen

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A tense stalemate over a potential uranium mine north of Kingston may end today as an Ontario Superior Court judge continues to push both sides of the dispute to reach a temporary compromise.

This is the latest round in a conflict that began in late June when two Algonquin communities in Eastern Ontario formed a blockade near Sharbot Lake, about 50 kilometres north of Kingston, to stop Frontenac Ventures, a uranium-prospecting company, from drilling for uranium core samples on disputed land.

The Algonquins claim the land being prospected is theirs and that Frontenac Ventures has no right to be there.

Frontenac Ventures was granted its mining claims by the Ontario Ministry of Northern Development and Mines. Lawyers representing the company say they've done nothing wrong and have every right to prospect the land.

On Monday, Frontenac Ventures had asked the court to grant a permanent injunction against the protesters at the blockade.

In addition, the company is suing the protesters for \$75 million.

The protesters, members of the Ardoch and Shabot Obaadjiwan First Nations are countersuing Frontenac Ventures. They're also upset that the province didn't consult them when it granted Frontenac mining rights.

A full hearing into the lawsuit, injunction application and countersuit will begin in September.

In the meantime, Justice Gordon Thomson has been trying since Monday to get an interim agreement in place.

Yesterday, Frontenac's lawyer, Neal Smitheman, told the court his client would be satisfied with drilling 20 holes for now instead of the 200 it had originally planned.

"It will help us firm up our financing and it will give us some work to do in the meantime," he said. The 20 holes would be strategically drilled to limit the chances of affecting the area's groundwater and trapping lines -- two major environmental concerns for the First Nations and area residents.

But the Ardoch and Shabot First Nations wouldn't budge. Frontenac Ventures, they said, isn't allowed on their land for any purpose.

"It is our view that the province is not adhering to its moral obligation and its legal duty to consult First Nations," said Chris Reid, a lawyer for the Ardoch Algonquins.

"It's no question that the province knew. It defies credibility that the mining industry wasn't aware that you need to consult First Nations, that the Crown wasn't aware they needed to consult First Nations. My clients didn't receive so much as a notification," Mr. Reid said.

Frontenac had already begun clearing trees and putting in roads when a non-native resident tipped off the Algonquins.

Mr. Smitheman said the stalemate only exists because the Algonquins refuse to compromise.

"We made proposals, we tried to be creative. It was all 'No way'," Mr. Smitheman said.

"How can any consultations take place with that kind of attitude? You can't have any consultations with people who won't talk to you."

Frontenac Ventures has staked more than 5,000 hectares and was about to start drilling when the Algonquins and a contingent of local non-native supporters blocked them from accessing the land. They set up a gated base camp near Sharbot Lake and put up signs and flags, parked a couple of trailers and pitched tents. A handful of people have remained on-site 24 hours a day since June 28, and a number of volunteers guard the perimeter of the staked land. The Algonquins and their supporters say they're worried that exploration and mining will contaminate their lands and water with radioactive waste. The waterways, they point out, are connected to the Ottawa River and could affect the drinking water in the nation's capital.

Most Ardoch Lake and Shabot Obaadjiwan First Nations are non-status Indians, meaning they never signed a treaty to relinquish their land rights in exchange for reserves and services.

The apparent confusion over land ownership comes at a time when several Algonquin communities in Ontario are engaged in land-claim negotiations with the provincial government. Frontenac's staked land is just part of a vast territory in dispute, stretching from Algonquin Park all the way to the front lawn of Parliament Hill.

Yesterday, about 30 natives and non-natives supporting the Ardoch and Shabot First Nations filled one side of the court room.

"This has really brought the community together," said Wanda Recoskie, a 58-year-old non-native whose backyard marshes border Frontenac's staked land.

"We're here for the fight of our lives," she said.

The hearing continues today.