



## **NESKANTAGA FIRST NATION DEVELOPMENT PROTOCOL**

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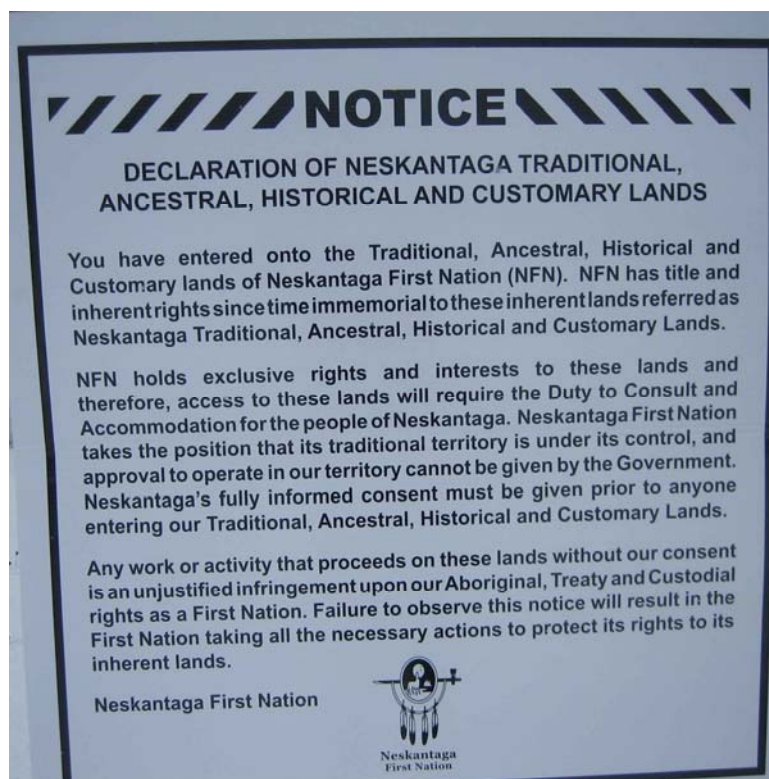
### ***Introduction***

Neskantaga First Nation is a pro-development community. Our First Nation is open to negotiating with developers provided that we receive a fair share of resources including jobs, training and wealth for our community. Given our remote location, we do not have ready access to many industries that provide employment opportunities for our community members, and we rely on the natural resources of our traditional lands to support our community and our way of life.

### ***The following principles guide our discussions during negotiations:***

- The developer must respect the position that the traditional lands of Neskantaga First Nation are under the control of the First Nation and not managed by the Crown, regardless of what the Mining Act declares.
- The First Nation does not recognize the 1947 Ministry of Natural Resources trap line system. All of our traditional lands are held collectively by the community, and all benefits from the use of these lands accrue to the community.
- NFN is part of the collective and shared lands of Treaty Number 9. NFN has title and inherent rights since time immemorial to these lands referred as Neskantaga Traditional, Ancestral, Historical and Customary Lands.
- Neskantaga First Nation's traditional territory encompasses the Attawapiskat Watershed and its tributaries including Marten-Drinking River, Otokwin River, Pineimuta River, the Mucketti River, the Ring of Fire territory as well as to lands north, south, east and west of the community.
- The Crown has a fiduciary responsibility to consult and accommodate the First Nation with respect to mining companies exploring on the traditional lands of NFN. They must consult the First Nation regarding all exploration activities being planned on the traditional territory of NFN. This consultation must occur prior to staking taking place on the traditional lands of NFN.
- Neskantaga First Nation must benefit socially and economically from the proposed development program. The economic/social benefits will match the scope of the development activity and must be meaningful and respectful of NFN.

- The consent of the First Nation community is required for all levels of development activity held on the traditional lands of Neskantaga First Nation. This consent if provided is in the form of a community resolution. Without consent, the developer cannot proceed with its program.
- Formal contact with the First Nation must be in writing.
- The developer is required to meet with a negotiating team as defined by the First Nation to negotiate development agreements. Meetings will not be held in the community until such time as the First Nation is satisfied; in the case of mining exploration that negotiations have proceeded to the point that either a Letter of Comfort or Early Exploration Agreement can be successfully negotiated.
- These meetings do not represent consultation by the developer, but are rather discussions until agreements are put in place. By our definition, consultation only occurs with the community.
- It is the position of the First Nation that all expenses, fees and related expenditures must be paid by the developer as part of the negotiation process.
- Accommodation must be in the community unless otherwise negotiated.
- The NFN archaeologist must be utilized during the exploration program since comprehensive value mapping has not been completed for the entire traditional lands. The fees for the archaeologist will be paid by the company. If the developer desires to utilize their own archaeologist, as some developers have, NFN's archaeologist will review the material/reports provided to ensure the values of NFN are protected.



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