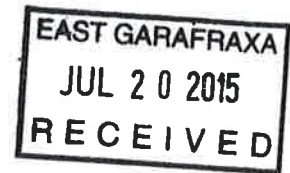




July 8, 2015

Township of East Garafraxa
Planning Department
191282 13th Line
East Garafraxa, ON
L9W 7B4



Dear Sir/Madame:

RE: Notice of applications and request for comments Applications to amend the Official Plan and Zoning By-law: to permit the development and operation of a gravel pit; OPA1/15 & Z1/15

The Six Nations of the Grand River (Six Nations) is in receipt of the notice for the above noted proposed gravel pit dated May 13, 2015. The applicant is proposing to construct a new gravel pit at Lots 2, 3, & 4, Concession 18, East Garafraxa. Be advised, this project is within Six Nation's Treaty Lands.

I trust you will agree Six Nation's unresolved Land Rights that are the responsibility of the Crown in Right of Canada and the Crown in Right of Ontario to resolve. Unfortunately, no negotiations to restore justice towards a productive resolution relating to these particular lands are taking place with Canada or Ontario. Instead Canada and Ontario appear to have delegated responsibility for their legal duty to consult and accommodate us to proponents and municipalities. Also be advised, that the said lands as described are subject to litigation against Canada and Ontario.

The Supreme Court of Canada's key court cases Haida Nation, Taku River Tlingit First Nation, Mikisew Cree, Tsilhoqot'in and Keewatin decisions confirm the legal obligation to consult and accommodate with First Nations. Six Nations Elected Council (SNEC) requires that the Crown, proponents and municipalities consult with SNEC in good faith in order to obtain its free, prior and informed consent.

Six Nations Elected Council would like to thank you for providing the notice on the above noted project. Six Nations is concerned about any development relating to land, water and resources which occur throughout their treaty territory and any archeological issues associated with such development(s). At this time, we have no further comments however would like to be kept updated on the project.

Should you have any questions or require clarification please feel free to contact me at (519)-753-0665.

Respectfully Yours,



Lonny Bomberry, Director
Six Nations Lands and Resources

CC: Minister David Zimmer, Ontario Ministry of Aboriginal Affairs
Minister Bernard Valcourt, Aboriginal Affairs and Northern Development Canada
Tri County Aggregates

This letter is without prejudice to the positions that Six Nations has and may take in respect to its claims and litigation in relation to the Six Nations Tract/ Haldimand Proclamation Land and the 1701 Fort Albany Treaty.