

HAUDENOSAUNEE DEVELOPMENT PROTOCOL

Definition

1. In this protocol

“Authority” means the Haudenosaunee Development Institute (HDI)

“Proponent” means a person contemplating any development within the Area of Jurisdiction

“Area of Jurisdiction” means that area generally set out by the Haudenosaunee and without limiting the foregoing includes lands described as the Haldimand Tract

Development Prohibited

2. Subject to section 3, no person shall undertake development in or on the areas described in subsection 2 if, in its opinion:

- a) The development meets the environmental standards of the Authority; and
- b) The proponent agrees to enter into such agreements as determined necessary by the Authority; and
- c) The development is in accordance with any regulations or policies developed pursuant to the Protocol

Application for Permission

4. A signed application for permission to undertake development shall be filed with the Authority and shall contain the following information:

- a) Four copies of a plan of the area showing the type and location of the development.
- b) The proposed use of the buildings and structures following completion of the development.
- c) The start and completion dates of the development.
- d) The elevations of existing buildings, if any grades and the proposed elevations of buildings and grades after development.
- e) Details and a history of the Proponent’s title including details pertaining to any purported surrenders of the land by the Haudenosaunee.
- f) Drainage details before and after development.
- g) A complete description of the type of fill proposed to be placed or dumped.

Cancellation of Permission

- a) The Authority may cancel permission if it is of the opinion that the conditions of the permission have not been met.
- b) Before cancelling permission, the Authority shall give a notice of intent to cancel to the holder of the permission indicating that the permission will be cancelled unless the holder shows cause at a hearing why the permission should not be cancelled.
- c) Following the giving of notice, the Authority shall give the holder at least five days notice of the date of the hearing.

Validity of permissions and extensions

- a) A permission of the Authority is valid for a maximum period of 24 months after it is issued, unless it is specified to expire at an earlier date.
- b) A permission may be extended at the discretion of the Authority for such time period, as the Authority deems appropriate.

Appointment of Officers

- a) The Authority may appoint officers to enforce this protocol.

Fees

- a) The Authority may at its sole discretion set fees for any of the activities contemplated by this Protocol.

Environmental standards

- a) The Authority shall provide for such environmental standards as in its sole discretion are necessary and appropriate.
- b) The Authority may from time to time amend the applicable environmental standards in consultation with the Haudenosaunee Confederacy Chiefs Council.
- c) The Authority may establish an Environment Review Commission ('ERC') and appoint members to the ERC
- d) The ERC shall make recommendations to the authority with respect to the application of appropriate environmental standards.
- e) The Authority may refer matters to the ERC with respect to determining whether a proponent's application meets the Authority's environmental standards.
- f) Members of the ERC may be removed from the ERC at the discretion of the Authority and/or the Haudenosaunee Confederacy Chiefs Council and where there is a conflict with respect to a removal decision as between the Authority and the Haudenosaunee Confederacy Chiefs Council the decision of the Haudenosaunee Confederacy Chiefs Council.

General

- a) The Authority may take such actions as necessary to provide for the implementation of this Protocol, which may include the delegation of such activities as required.
- b) The Authority may make such Regulations under this Protocol as are necessary to further the objectives of the Protocol and without limiting the foregoing the HDI may make Regulations pertaining to:
 - Land Use Agreements
 - Environmental Standards
 - Application and Permit Fees