



Indigenous Engagement Protocol:

A Guide to Engagement with Six Nations of the Grand River for
Planning Act Applications
County of Brant

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Policy Planning Division
Development Services Department
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Appendix C – Engagement Tracker (SNGR)

Annex 1 – The History of Six Nations of the Grand River

Annex 2 – Six Nations of the Grand River Value Statement

*All **defined terms** in this Protocol appear in **bold** upon their first use. For full definitions and additional context, please refer to the **Glossary** located in the Introduction section of this document.

Honouring Six Nations of the Grand River

Although **development** within the County of Brant occurs under a colonial land use planning framework, the County is seeking to integrate the **Traditional Knowledge** and practices of **Indigenous Nations** who have been present on this land since time immemorial. The Provincial Planning Statement and the objectives of the County of Brant Official Plan – *A Simply Grand Plan* (2023) seek to recognize the origins of the lands on which we live, including treaty relationships and Indigenous histories. As an implementation mechanism, this *Protocol* guides **applicants** to meet the policies of the Official Plan, while respecting Indigenous and treaty rights.

Through this *Protocol*, the County seeks to honour the relationship to Mother Earth that is central to the Six Nations of the Grand River (SNGR) and is necessary for them to have healthy minds, bodies, and spirits. The County is seeking to weave in Six Nations' point of view, including the values, traditions, and stories that have been shared throughout generations to care for the natural world.

1. Guiding Principles of Engagement with Six Nation of the Grand River

Meaningful **engagement** is most impactful when it not only begins early, is respectful and remains ongoing but acknowledges key guiding principles of the Nation's values. The following guiding principles are designed to reflect the high-level values that should be upheld throughout the engagement process with SNGR. Annexes 1 and 2 provide more detailed information to help applicants learn more about the history, values, governance, and Traditional Knowledge systems of SNGR. The County has identified the following guiding principles for applicants engaging with SNGR:

- **Relationship-Driven:** Engagement lasts beyond the completion of a project and strengthen bonds for future discussions.
- **Proactive:** Engagement occurs as early as possible, with technical studies and requirements identified and concerns addressed prior to formal application submission.
- **Good-Faith:** Engagement is approached with honesty, transparency, and in good faith, with an attitude of mutual respect.

- **Collaborative:** Engagement involves working collaboratively with SNGR by responding to all verbal and written comments, incorporating shared knowledge into development proposals, and striving for consensus before a formal application is made to the municipality.
- **Flexible:** Engagement creates flexibility within the process to meet the needs and capacity of SNGR.

2. General Requirements of Engagement

2.1 Proof of Engagement

Applicants of development are required to engage with SNGR as part of a complete *Planning Act* application to the County.

Proof of engagement in the form of communication records with SNGR will be considered by the County in the review of all development applications to determine whether the applicant has meaningfully pursued engagement. These records must include:

- email correspondence,
- all methods of communication used,
- key comments or concerns made,
- as well as any commitments made throughout the engagement process.

Various methods of communication may be required to facilitate discussions. Virtual meetings and on-site meetings may be useful to resolve any outstanding concerns as part of consensus building.

The applicant is responsible for tracking and reporting all communication efforts as part of their submission to the County. Applicants are encouraged to track communication efforts in the template provided through Appendix C of this protocol. Both the quantity and quality of communication will be considered by the County when reviewing the proof of engagement provided to the County. Acceptable efforts may include, but are not limited to:

- Follow up emails within a reasonable timeframe.
- Phone calls or virtual meetings.

- Timely responses to SNGR's inquiries, demonstrating that the applicant has actively addressed questions, concerns, and requests for additional information during the engagement process.

The method and extent of engagement may vary depending on the scale, location, and potential **impact** of the proposed development. Applications that could have an impact on natural heritage resources, archaeological and cultural resources, or economic impacts on traditional territories and treaty lands may require more extensive and proactive engagement efforts.

2.2 Development Proposal Circulation Requirements

Information and **notification** are required as part of proof of engagement with SNGR. **Major development** applications are encouraged to reach out to SNGR as soon as possible to begin preliminary discussions. All application circulations should include the following:

- Overview (including a map of the site and a zoomed-out map of the area, existing conditions and the potential area of impact of the development if applicable), timing, and description of the proposed development;
- Known or potential impacts from the proposed development;
- Contact information for the applicant;
- All information provided to the County of Brant in respect to the proposal; and,
- Any other relevant information to SNGR's interest in the environment, Indigenous cultural heritage, archeological resources, and economic impacts.

2.3 Inclusion of Feedback

Feedback received from SNGR prior to the submission of a complete application should be reflected through **inclusions** in the development proposal. These inclusions may consist of, but are not limited to:

- Environmental protection and/or enhancement measures integrated directly into the plan for development.
- Archeological protection and/or conservation measures as determined through an archeological assessment.
- Cultural protection measures integrated directly into the plan for development.
- Associated and ongoing monitoring of impacts from the development.

- Other refinements to the contemplated action or decision.

Where inclusion requested by SNGR are not incorporated into the proposal, justification for such exclusions must be provided as part of a complete application submission. A standardized engagement tracker has been provided as Appendix C to this *Protocol*. Using this tracker, applicants are required to outline who they have connected with at SNGR and when, which inclusion have been requested from SNGR and how they have been included throughout the application or if not, justification as to why.

3. Engagement Process

Initial outreach for **minor developments** is optional but should happen early for more major developments. Such outreach would be to start a dialogue, as well as discuss potential studies and associated terms of reference.

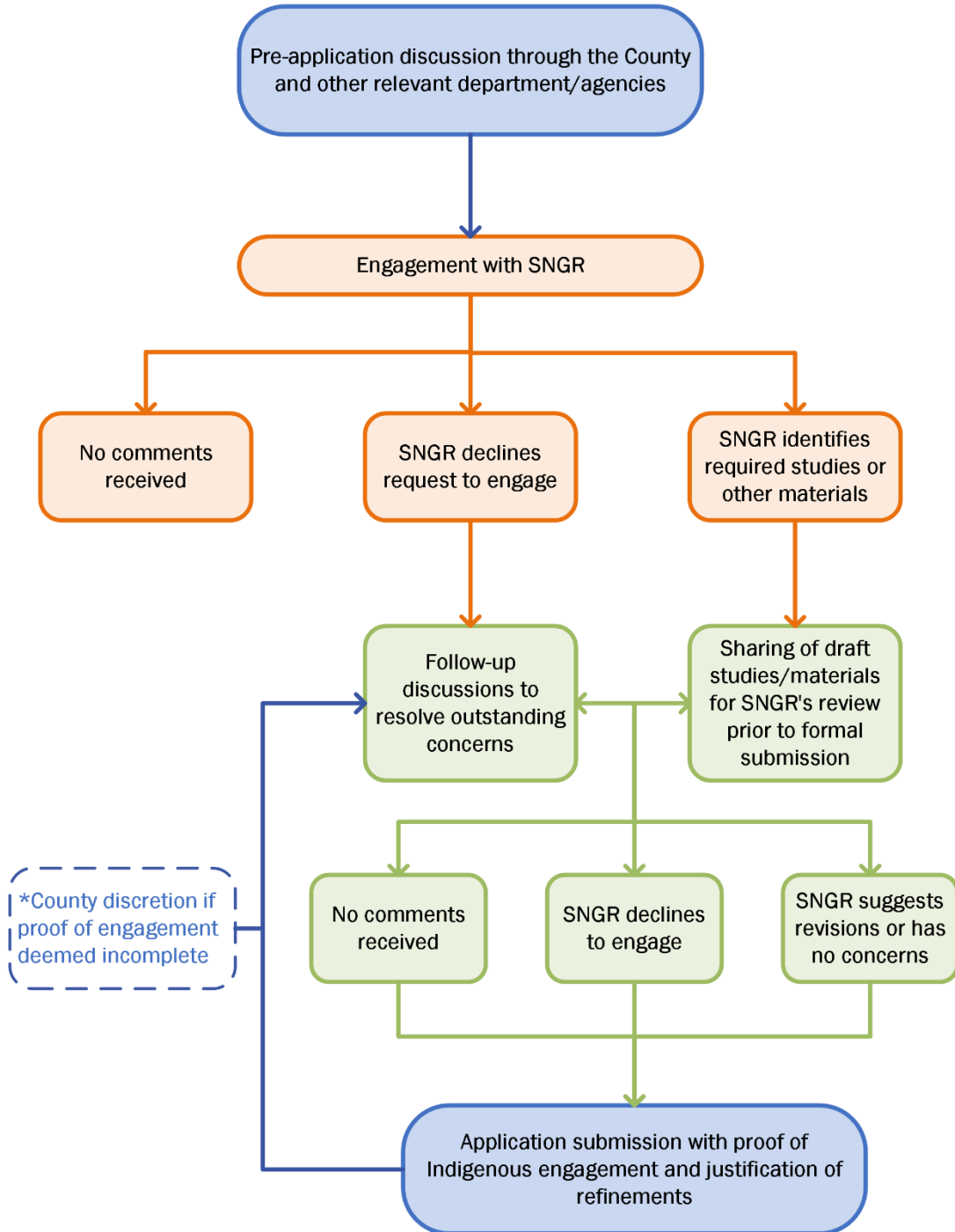
Although early engagement is encouraged as noted above, the first formal step is through the municipal pre-application discussion process through the County. As part of the pre-application discussion with the County, draft proposal materials are circulated to SNGR for review and comment. At this stage, SNGR may choose to:

- decline to engage,
- identify **required studies** and any additional materials, or
- provide no comments.

If SNGR declines to engage, follow-up discussions may occur to better understand and address any concerns. Where SNGR identifies specific requirements, draft materials and studies are shared for their review prior to formal submission. SNGR may then offer feedback, suggest revisions, or indicate no further comments.

Once appropriate steps are taken to recognize and address the key concerns expressed by SNGR, applicants may proceed to submit this with the remainder of the items required as a submission for a complete application to the County. The complete application submission should include *proof of engagement*, SNGR's requested inclusion, and if applicable, a justification for any inclusions that are not incorporated. The County retains discretion to determine whether the proof of engagement is sufficient before deeming the application complete. **Figure 1** illustrates this engagement process, from pre-application discussions with the County and SNGR to final application submission.

Figure 1: Engagement Process



4. Additional Notes and Information

4.1 Clarity on “Decline Request to Engage”

SNGR has the right to excuse themselves from engaging with any development project based on the applicant’s failure to meet the requirements for entering the engagement process. This right is in accordance with section 32 of UNDRIP, which outlines that applicants “*shall consult and cooperate in good faith with the Indigenous peoples concerned through their own representative institutions in order to obtain their free and informed consent prior to the approval of any project affecting their lands or territories and other resources, particularly in connection with the development, utilization or exploitation of mineral, water or other resources.*” Accordingly, applicants should notify SNGR as early as possible in the planning process and must remain responsive to feedback throughout. Supporting studies and materials should be revised as needed to address outstanding matters raised by SNGR, or to provide rationale where feedback cannot be included. Applicants and SNGR should work collaboratively toward meeting the expectations of all parties involved.

If an applicant has made attempts to communicate but are not receiving comments within the set application timeline outlined by the *Planning Act*, this should not be interpreted as consent or lack of interest. Rather, it may reflect unresolved concerns, insufficient engagement, or a lack of transparency or respect in the process. It may also be reflective of the high volume of applications SNGR reviews across its treaty lands and traditional territory. This volume combined with a limited capacity affects SNGR’s ability to respond within the timelines imposed by the *Planning Act*. Notwithstanding any lack of, or diminished response, the County of Brant supports SNGR through ongoing collaboration. The County will consider proof of engagement provided by the applicant and any comments provided by SNGR as part of the pre-application discussion to determine if the applicant has met the requirements of a complete *Planning Act* application.

4.2 Understanding SNGR-Specific Requests for Engagement

As part of a complete *Planning Act* application, the County requires proof of engagement with SNGR; however, applicants are advised that the SNGR may also seek accommodation through compensation with requests for Capacity Funding, especially for major developments. The County does not require copies of additional agreements regarding Indigenous engagement and is not liable for any agreements entered into between applicants.

5. Required Studies or Reports

The table below outlines some typical studies and reports along with associated requirements related to Indigenous engagement with SNGR, which may be required as part of a complete application submission. The requirements under each of the listed studies and reports may vary depending on the scale and complexity of the development.

Studies and Reports	Description
<p>Archaeological Assessment (AA)</p> <ul style="list-style-type: none"> • Stage 1: background study and evaluation of potential • Stage 2: property assessment • Stage 3: site-specific assessment • Stage 4: mitigation of development <i>Impact</i> 	<ul style="list-style-type: none"> - Required for any development that has the effect of soil disturbance, unless it is demonstrated that the site was subject to a deep ground disturbance (e.g. mineral aggregate operation). The application will be put on hold until such time as an archaeological assessment and the study is completed. - Must be carried out by a licensed Archaeologist in accordance with provincial guidelines. - Must be reviewed and entered into the Ontario Public Register of Archaeological Reports. - All applicable stages must be completed prior to submission of an application, except where appropriate stages may be waived. The County in engagement with SNGR must be satisfied that potential or known significant archaeological resources will be appropriately

	<p>conserved. Examples include zoning and/or dedication of lands that result in permanent conservation.</p> <ul style="list-style-type: none"> - Where appropriate, as determined by County staff in engagement with SNGR, a condition of approval may be utilized in lieu of placing the application on hold.
<p>Environmental <i>Impact</i> Study (EIS), Environmental Implementation Plan (EIP) and Hydrogeological Assessment used to inform EIS</p>	<ul style="list-style-type: none"> - Required for any development or site alteration proposed in or within 120 metres of known or potential natural areas identified as part of the Natural Heritage System described in the County's Official Plan. - May be scoped or waived as determined by the County, in engagement with SNGR, where no useful purpose would be served, or where the impacts are anticipated to be minor. - Must be completed in accordance with the County's County Environmental Impact Studies (EIS) and Environmental Implementation Plans (EIP) Terms of Reference Submission Guidelines. - A Hydrogeological Assessment must be completed to inform the EIS, where impacts are anticipated to water resources such as wetlands and watercourses. - Upon completion, the EIS and the EIP will be circulated to SNGREC for review. Based on the results of the review, the documents may be accepted as is, revisions may be requested to address comments raised during the review, or it may be concluded that the lands are not the appropriate place for development.
<p>Heritage Impact Study (can include cultural heritage evaluation reports,</p>	<ul style="list-style-type: none"> - Required for development or site alteration that could have an impact on sites of potential cultural heritage value or designated cultural heritage resources. This can also include

conservation strategies, adaptive reuse plans, etc.)	<p>proposals on lands adjacent to cultural heritage resources.</p> <ul style="list-style-type: none"> - May be required to be prepared and/or reviewed by an appropriate professional in good standing of the Canadian Association of Heritage Professional, at the discretion of the County.
Tree Inventory, Preservation and Compensation Plan	<ul style="list-style-type: none"> - Required for development or site alteration that could have an <i>Impact</i> on trees. This generally included any proposal in or within 10 metres of trees. It includes any trees on and/or adjacent to the subject lands. - Must be completed in accordance with the County of Brant Technical Tree Guidelines.

6. Additional Resources to Guide Developers

SNGR is entitled to designate different personnel as the appropriate contact person for various aspects of engagement. For example, proof of engagement with the land use and stewardship technician is required for natural heritage matters, while archaeological specialists must be contacted regarding archaeological assessments. Without affecting SNGR's rights to replace, substitute, assign, or otherwise designate personnel, in its discretion, at the time of adoption of this *Protocol*, such designated personnel were, to the best of the County's knowledge, as follow:

- County of Brant. (2024, July). Environmental Impact Studies (EIS) and Environmental Implementation Plans (EIP) Terms of Reference Submission Guidelines. <https://www.brant.ca/planning-and-development/about-planning/development-toolbox/#EnvironmentalImpactStudiesandEnvironmentalImplementationPlans>
- County of Brant. (2024, July). *Heritage Impact Study Submission Guidelines*. <https://www.brant.ca/media/jujmxxhj/heritage-impact-study-submission-guidelines-pdf.pdf>

- County of Brant. (2025). *County of Brant Technical Tree Guidelines*. <https://www.brant.ca/media/i1xmxutn/county-of-brant-technical-tree-guidelines.pdf>
- Ontario Professional Planners Institute. (n.d.). *Indigenous Planning Perspectives Resource List*. <https://ontarioplanners.ca/inspiring-knowledge/indigenous-planning-perspectives/resource-list>
- Six Nations of the Grand River (n.d.). *Who We Are*. <https://www.sixnations.ca/who-we-are/>

Materials to be supplied at the request of Six Nations of the Grand River Elected Council or the Consultation and Accommodation (CAP) Team:

- Six Nations of the Grand River Environmental Levy Policy
- List of plant species and animals that may be of interest and importance to the community of SNGR

7. Who to Engage with at SNGR

The appropriate contact person must be *engaged* with at SNGR. For example, *proof of engagement* with the land use and stewardship technician is required for natural heritage matters, while archaeological specialists must be contacted regarding archaeological assessments.

Land Use and Environment-Related Matters

- Peter Graham, Consultation Supervisor, LRCS@sixnations.ca
- Emmett Vanson, Land Use and Stewardship Technician, LRLUST@sixnations.ca

Archaeological Inquiries and Related-Matters

- Tanya Hill-Montour, Archaeology Supervisor, tanyahill-montour@sixnations.ca

General engagement Inquiries

- Lonny Bomberry, Director, lonnybomberry@sixnations.ca
- Dawn Russell, Consultation Administrative Assistant, dawnrussell@sixnations.ca

Annex 1 – The History of Six Nations of the Grand River

From time immemorial, the Six Nations (sometimes then referred to as the Five Nations) possessed very large territories in what is today the United States of America and the provinces of Ontario and Quebec. The original five nations unified under the Great Tree of Peace and became the Haudenosaunee Confederacy.

Starting in 1613, the Haudenosaunee entered into several Two Row Wampum agreements with European Powers that formed the basis for subsequent treaties: "We will not be like Father and Son, but like Brothers. [Our treaties] symbolize two paths or two vessels, travelling down the same river together. One, a birchbark canoe, will be for the Indian People, their laws, their customs, and their ways. The other, a ship, will be for the white people and their laws, their customs, and their ways. We shall each travel the river together, side by side, but in our own boat. Neither of us will make compulsory laws nor interfere in the internal affairs of the other. Neither of us will try to steer the other's vessel."

Southern Ontario was always Iroquois land. Occupied by the Huron-Wendat and Neutral Nations prior to colonialism, both were defeated by Haudenosaunee in the Beaver Wars and a majority of their members were absorbed into Six Nations. The Crown later recognized this vast expanse of Haudenosaunee land in the 1701 Fort Albany/Nanfan Treaty and continued to recognize it and honour its terms. That same year, the Haudenosaunee and a number of Anishinaabeg Nations agreed to share a portion of those lands in their Dish with One Spoon Treaty.

In the late 1600s, the Anishinaabe, as allies of the French, expanded their territory westward into Fort Albany/Nanfan lands as Six Nations was preoccupied fighting alongside their Imperial Crown allies elsewhere. The Anishinaabe attempted to exclude the Haudenosaunee from their northern lands, but failed, as the Haudenosaunee continued to use those lands for hunting, trapping, trade, transit and settlement. While the Haudenosaunee had their rights to those lands enshrined in treaties, the Anishnaabe forfeited any rights they may have had in a series of quit claims, despite being told they had no right to sell the land.

Throughout the American War of Independence, the Six Nations continued their alliance with the Imperial Crown. During an American raid on Onondaga, Cayuga and Seneca villages in the late summer of 1779, an estimated 9 million pounds of corn were destroyed, attesting that the Haudenosaunee were prolific farmers as well as hunters and fishers. Because of the Crown's defeat in that war, many Haudenosaunee left the United States and, at the invitation of the Crown, settled on a portion of their Fort Albany/Nanfan lands, known today as the Haldimand Tract.

The 1784 Haldimand Treaty emphasized the land was for the exclusive possession and settlement of the Six Nations and that those lands would be enjoyed by their descendants forever.

As more settlers moved onto Six Nations of the Grand River territory, the land became unsuitable for hunting and the Six Nations were forced to find alternate means of support. The Haudenosaunee placed some of their lands in trust with the Crown to raise funds, via leases for the perpetual care and maintenance of Six Nations. But those leases were never properly honoured. Monies resulting from such leases, and illegal sales, were administered by the Crown, but instead of benefitting Six Nations, these funds were frequently used to pay down Crown debts and build public infrastructure. These actions are subject to ongoing litigation between Six Nations of the Grand River and the provincial and federal Crowns.

Annex 2 – Six Nations of the Grand River Value Statement

Indigenous Peoples view the world in a particular way. Our Original Instructions when we were created tell us that as the youngest members of creation, it is our responsibility to protect and to care for our elder siblings, which is we must care for the natural world. We were taught, and still believe that we have a reciprocal relationship with all of creation, as they take care of us too. Our world view consists of the values, traditions, and stories from our ancestors, family, and community. This world view also helps us to identify ourselves as a unique peoples with a strong connection to the land.

A respectful relationship with Mother Earth is central to Haudenosaunee (Rotinonshión:ni) people and necessary for us to have healthy minds, bodies and spirits. We were given the teachings of the Ganq̄honyq̄hk (Thanksgiving Address) so we could know how to respect all the different parts of Mother Earth. The teachings remind us that she is where we came from and that we are part of her creation. In addition, they remind us that we are all connected and what is done to one is done to the whole.

We give thanks to the People in our lives for all that they bring to our lives.

We give thanks to our Mother, the Earth for all that she provides for the sustenance of our lives.

We turn to the Waters and we give thanks for the life sustaining attributes of water.

We acknowledge the Fish in the waters and give thanks to them for helping to keep the water clean.

The fish however, cannot do it alone. When we consider how human interference is impacting those fish and that water, we must stand up for them and ensure that they are no longer being impacted negatively by the daily activities of the human population.

We give thanks to the Plant people, the Food plants, the Medicine plants and we acknowledge the strawberry as the leader of the plant people.

We are losing agricultural land at a phenomenal rate. Where do we look for the provision of food if our plants are destroyed?

We turn our attention to the Animals. We are very grateful for all that they provide for the sustenance of our lives. We acknowledge the Deer, the leader of the animals, who has been with us since time immemorial and who is still providing for us today.

We cannot continue to allow the removal and destruction of the natural habitat of the animals or other non-human beings. We cannot survive without them.

We now give thanks to the Trees. We are very grateful that the Trees provide oxygen for us to breathe, provide wood for our shelters and fires. We would especially like to acknowledge the Maple, the leader of the Tree people who has also provided for us since time immemorial and continues to provide for us today.

This land was once covered with rich, lush forests and the few that are remaining are being diminished daily. We need to save and enhance the forests that are remaining to ensure the sustenance of our own lives. We need the tree people to survive.

We acknowledge the Birds with their beautiful plumage and songs. We turn our attention to the Eagle who is the leader of the bird people. The Eagle flies high in the sky above us, watching over us. We are so grateful that the Eagle has returned to watch over us again. We almost lost the Eagle to pollution. We need to learn the lesson from that near extinction and change our ways.

We now turn our attention to the Four Winds. We are grateful to hear their voices as they bring us fresh air to purify our surroundings.

We are grateful for our Grandfathers, the Thunder Beings. We celebrate their return in the spring as they bring with them the water that renews and cleanses the drabness of the receding winter.

We now give thanks to our Elder Brother the Sun. He is the source of all life and we are grateful that he continues to greet us each day.

Of course, we also give thanks to our Grandmother Moon. She is the leader of all women and we honour and respect her.

We send greetings to the Stars, who along with Grandmother Moon lights the night sky so that we may find our way.

Climate Change is creating destructive weather anomalies that are not so anomalous any longer. The winds are getting stronger, the sun is hotter, and the skies are being polluted to such an extent that we can no longer see the stars. We need to

take responsibility that it is human activity that is causing climate change and we need to change our ways to stop those effects.

When we forget how to live in harmony, the Enlightened Teachers guide us and lead us on the right path. We send greetings and thanks to them now.

We now turn our thoughts and our gratitude to the Creator for all of the gifts of Creation. Everything we need to sustain our lives has been provided by the Creator and we are so thankful for his wisdom and love.

If we have forgotten to give thanks for any part of creation we do so now. It is not our intent to leave anything out.

Indigenous people of Turtle Island created a treaty with one another. The Dish with One Spoon Treaty is an important treaty to understand. It was made as a measure to outline our responsibilities to share the land with one another. The basic tenets of the Dish with One Spoon Treaty are: take only what you need for sustenance, be sure to leave something in the dish for others, and keep the dish clean. This treaty was made not only between Indigenous Nations, it also included the natural environment, and it was like a promise to our non-human brothers and sisters.

Since settlers arrived on Turtle Island, forests have been decimated and waters have been poisoned. Animals have been destroyed to near extinction. It wasn't so long ago that our ancestors could collect clean water from the Grand River. Never did anyone have to wonder if it was safe to eat the fish they caught or to breathe the air around them.

When Europeans first arrived in North America, Indigenous Peoples helped them to survive. The Five Nations' original treaty with Dutch Settlers, the Two Row Wampum, indicated that the relationship between the European people and the Original people was to be not like the relationship between a father and a son, but like that of two brothers, each travelling along the river in separate vessels, a canoe for the Indigenous people and a boat for the settlers - neither steering the other's vessel.

In the time since that first treaty, settlers have paved over floodplains, excluded Indigenous people from harvesting on lands and in waters that we have always relied on, and have not taken care of Mother Earth in a way that would allow her to provide for us.

It is time for all humans, not just Indigenous people to begin to extend to the non-human people the same moral consideration that they would extend to themselves, recognizing that all species, rivers, ecosystems, have a right to exist free of pollution and unnecessary development and that their existence continues to sustain us. We must sustain them in return.

Mother Earth is a living breathing entity and every building, every highway, every source of her destruction is permanent destruction. She is fighting for her life and she will continue to fight back until we change our ways and remember that we are all connected. What is done to one is done to the whole.

Another responsibility that we have according to our Original Instructions is to use a good mind in making decisions and to think of the effect that our decisions and actions have on the generations yet to come. We must ask ourselves every day, "How is what I am doing impacting the earth for the use of future generations?" "Is what I am doing leaving the world in a better place than what it was when I was born?" We must consider whether we will be proud of what we are leaving our future generations and if the answer is no, then we must reconsider what we are doing, why we are doing it, how we are doing it and can we do better.