

12.0 FIRST NATIONS CONSIDERATIONS

The Yellowjacket JV recognizes that the TRTFN have certain unextinguished rights within its traditional lands and territories including title and treaty rights. Within these territories, the TRTFN also carries out traditional activities including activities for food, social, ceremonial and other cultural purposes and traditional land use including camping, hunting, fishing, travel on historic routes and food gathering.

The TRTFN have asserted their concerns and policies with regard to mining activity in their traditional lands. The TRTFN Mining Policy 2007 is based in part on a more comprehensive work, "*Our Land is Our Future: Há tlátgi há khustiyxh sítí - Taku River Tlingit First Nation Vision & Management Direction for Land and Resources*". The stated intent of the Mining Policy is to provide greater certainty for parties interested in the extraction of mineral resources from TRTFN Traditional Territory. The policy includes timelines and mechanisms regarding how TRTFN intends to deal with proposals for mining related activity.

The mining policy is constructed on three basic principles which all mine development in the TRTFN lands must follow:

- Protect and accommodate TRTFN' s Aboriginal rights, title and interests;
- Satisfy TRTFN principles for environmental, economic, social and cultural sustainability; and
- Provide social and economic benefits for the TRTFN community.

The TRTFN Government will also consider working cooperatively with Yellowjacket JV who wish to enter into a relationship with TRTFN based on:

- Recognition and respect for TRTFN Aboriginal rights, title and interests, and the responsibility of TRTFN Government to protect those;
- A commitment to protect and accommodate TRTFN rights, title and interests;
- Ensure environmental, economic, social and cultural sustainability; and
- Provide social and economic benefits for the TRTFN community.

Prize Mining Corporation and Eagle Plains Resources Ltd. ("the Yellowjacket Joint Venture") recognize and respect the TRTFN title and treaty rights, and through a formal Consent and Approval Meeting (March 12, 2009) have triggered the formal application of the TRTFN Mining Policy Guidelines.

Copies of this Small *Mines Act* Permit Application will be forwarded to the TRTFN Land and Resources Manager and the Yellowjacket JV has formally engaged the TRTFN management to undertake a review of the application to provide the opportunity for comments and clarification. In addition, the entire TRTFN population will have the opportunity to comment on the application through a formal gazetting process.

The Yellowjacket JV intend to negotiate and sign an Impact Benefits Agreement (IBA) with the TRTFN as part of the formal consent and approval for mining activities within the Traditional Territory. The IBA may include but is not limited to addressing:

- Environmental protection measures including monitoring and follow-up using TRTFN technicians, as well as regular review of monitoring results by the TRTFN Land and Resources Manager;
- Employment opportunities for TRTFN in the mining and milling operation;
- On-site and on-the-job training;
- Specialized contract opportunities including carrying out a preliminary scoping study to investigate the feasibility of connecting the minesite to the Atlin hydroelectric grid;
- Opportunities for qualified, competitive TRTFN businesses to provide goods and services to the project;
- Ensuring that traditional rights and activities are not infringed on by the proposed development;
- Establishing appropriate company policy designed in consultation with TRTFN relating to time off for cultural, civic, and governance events.

The Yellowjacket JV is of the opinion that the development of this project will fit with the objectives of the TRTFN Mining Policy. The Yellowjacket JV is committed to protecting and accommodating TRTFN rights, title and interests, and ensuring that social and economic benefits from the project will be shared with the TRTFN while maintaining traditional social, cultural, and environmental values. The Yellowjacket JV is committed to establishing a cooperative business arrangement with the TRTFN that will benefit both parties and will allow the TRTFN to directly benefit from resource extraction in their traditional territories.