

## PEGUIS FIRST NATION

### Bylaw No. 2026 - 01

#### A Bylaw Governing Traditional Resources Protection

**WHEREAS** the Peguis First Nation has and continues to exercise an inherent right of self-government protected under section 25 and section 35 of the *Constitution Act*, 1982;

**AND WHEREAS** the Peguis First Nation affirms the United Nations Declaration on the Rights of Indigenous Peoples, explicitly invoking Article 11.1, which recognizes that Indigenous peoples have the right to practice and revitalize their cultural traditions and customs, including the right to maintain, protect, and develop the past, present, and future manifestations of their cultures, technologies, traditions, ceremonies, and culturally significant places;

**WHEREAS** this bylaw is an exercise of Aboriginal and treaty rights, and nothing in this bylaw may be construed as to abrogate or derogate from any Aboriginal and treaty rights of the Peguis First Nation;

**WHEREAS** the Peguis First Nation consider it necessary to adequately oversee activities taking place on Peguis Lands to protect environmental assets, ecosystems, and traditional botanical resources from unauthorized extraction and cultural theft;

**WHEREAS** the protection, stewardship, and sustainable harvesting of Traditional Medicines and Protected Traditional Resources is a shared responsibility of all Peguis First Nation Members, and requires the guidance of Elders, Cultural Teachers, Medicine People, and Lands Guardians to ensure that traditional harvesting knowledge is passed to future generations;

**WHEREAS** the Council of the Peguis First Nation desires to make a bylaw governing the protection of traditional plant medicines and natural resources on Peguis Lands with respect to any matter arising out of or ancillary to the exercise of powers under section 81 of the *Indian Act*, and for the imposition of a penalty for a violation thereof;

**AND WHEREAS** the Council of the Peguis First Nation is empowered to make such a bylaw respecting the removal and punishment of persons trespassing on Peguis Lands or frequenting Peguis Lands for prohibited purposes, and generally for the peace, order, and good governance of the Peguis First Nation pursuant to subsection 81(1) paragraphs (a), (c), (d), (m), (n), (p), (p.1), (p.2), (q), (r); 81(2); and 81(3) of the *Indian Act*, RSC, c I-5;

**AND WHEREAS** the Council explicitly relies upon Section 30 of the *Indian Act*, which establishes a statutory offense for any person who trespasses on a reserve to harvest, hunt, fish, trap, or settle, as a key enforcement mechanism against unauthorized non-members and commercial entities.

**NOW THEREFORE** the Council of the Peguis First Nation hereby enacts the following bylaw:

#### PART 1 – DEFINITIONS AND INTERPRETATION

##### 1. SHORT TITLE

1.1. This Bylaw may be cited as the “Peguis First Nation Traditional Resources Protection Law”.

## 2. APPLICATION

2.1. This Bylaw applies to all persons, Members, Residents, and corporate entities on Peguis Lands.

## 3. INTERPRETATION

3.1. In this Bylaw:

**"Authorization"** means explicit, written permission granted by Chief and Council via a Band Council Resolution, or a valid, active permit issued directly by the Peguis Lands Department under this Law;

**"Band Council Resolution"** or **"BCR"** means a formal written record of a decision, law, order, or enactment enacted by a quorum of Council at a duly convened meeting of the Chief and Council of the Peguis First Nation;

**"Bylaw"** or **"By-law"** means a local law, regulation, or enactment approved and passed into effect by a quorum of Council under the inherent self-governing authority of the Peguis First Nation, or pursuant to the powers granted under the *Indian Act*, and includes any amendments made to it from time to time;

**"Council"** means the Chief and Council of the Peguis First Nation, as defined in the *Indian Act* and lawfully elected in accordance with the *First Nations Elections Act*, or custom election code, as the case may be;

**"Cultural Teacher"** or **"Medicine Person"** means a Peguis First Nation Elder, Knowledge Keeper, Medicine Person, or other individual recognized by Council for their knowledge of Traditional Medicines, Traditional Protocols, and culturally appropriate harvesting practices;

**"Designated Harvesting Area"** means any specific zone, tract, or parcel of Peguis Lands formally identified and demarcated by Council or the Lands Department for managed, rotational, or restricted harvesting activities;

**"First Nation"** or **"Peguis First Nation"** means the Peguis First Nation, a band within the meaning of the *Indian Act*;

**"Harvest"** or **"Harvesting"** means the gathering, picking, collecting, plucking, pulling, cutting, pruning, digging up, or uprooting of any vegetation, fungi, or plant matter;

**"Indian Act"** means the *Indian Act*, RSC, c I-5;

**"Knowledge Keeper"** means a Peguis First Nation Member recognized by Council, Elders, or the community as possessing traditional knowledge relating to traditional medicines, harvesting practices, ecological stewardship, and cultural teachings;

**"Lands Guardian"** means a Peguis First Nation Member formally employed, contracted, or appointed by the Lands Department to conduct environmental monitoring, ecological field surveys, community resource protection, and compliance tracking on Peguis Lands;

**"Member"** means any person whose name appears or is entitled to appear on the Band Membership List as maintained by the First Nation pursuant to the Peguis Membership Code;

**"Moratorium"** means a temporary prohibition, declared by Council by Band Council Resolution under section 8.4 of this Law, respecting the harvesting, collection, removal, disturbance, or possession of a specified Traditional Medicine or Protected Traditional Resource for the purpose of protecting its conservation, sustainability, and regeneration.

**"Officer"** means any peace officer or other person charged with the duty to preserve and maintain the public peace, an RCMP officer, a provincial peace officer, a bylaw enforcement officer, a First Nations safety officer, or a **Lands Guardian** appointed by the Council for the purpose of maintaining law and order and environmental monitoring on Peguis Lands;

**"Order"** includes an order for the payment of money;

**"Peguis First Nation Law and Order Bylaw"** means the Peguis Bylaw No. 2024-3, *"A Bylaw for the Observance of Law and Order"*;

**"Peguis Lands"** has the same meaning as a Reserve under the *Indian Act* and for the purposes of this Bylaw, excludes any lands held by Peguis First Nation in fee simple or any other interest under the jurisdiction of the Province of Manitoba;

**"Proceedings"** means:

(a) Proceedings in respect of offences and orders; and

(b) Proceedings in which a Justice is authorized by an enactment to make an order;

**"Prohibited Activities"** means any act of harvesting, gathering, cutting, uprooting, surveying, mapping, possessing, transporting, or removing Protected Traditional Resources and Traditional Medicines by an unauthorized person or business entity without a valid permit or proper Authorization issued under this Law;

**"Protected Traditional Resource"** means all flora, vegetation, and natural organic matter native to Peguis Lands that holds ecological, material, or cultural value to the First Nation, including but not limited to trees, bushes, all berries, all roots, and culturally significant vegetation;

**"Reserve"** means the Peguis Indian Reserves No. 1B (06373), 1C (06374), 1D (09064), 1E (09066), 1F (09073), 1G (09074), 1H (09075), 1I (09077), St. Peter's Fishing Station 1A (06375), 1075 Portage Avenue, Winnipeg, Manitoba (101159), any land held for the use and benefit of the First Nation pursuant to section 36.1 of the *Indian Act*, and any future reserve set aside by His Majesty for the use and benefit of the First Nation;

**"Traditional Medicine"** means any plant, root, bark, fungus, or natural botanical material historically or currently utilized by Peguis First Nation Members for spiritual, ceremonial, physical, or medicinal healing and wellness, explicitly including sweetgrass, sage, cedar, and diamond willow;

**"Traditional Protocols"** means the sacred, ancestral, and customary laws, ceremonies, values, and practices of the Peguis First Nation regarding respect for the earth and the sustainable gathering of plants, including but not limited to the traditional offering of tobacco (*asemaa*) prior to harvesting, harvesting only what is needed, minimizing damage to parent plant colonies, and entering the land with a peaceful and respectful mind.

## PART 2 – PROTECTION OF TRADITIONAL RESOURCES ON PEGUIS LANDS

### 4. PURPOSE OF THE BYLAW

**4.1.** The purpose of this Bylaw is to protect, conserve, and manage Protected Traditional Resources and Traditional Medicines on Peguis Lands, ensuring environmental sustainability and protecting the cultural, medicinal, and spiritual heritage of the Peguis First Nation from unauthorized or commercial exploitation by non-members and external business entities.

**4.2.** In alignment with **Article 11.1 of the United Nations Declaration on the Rights of Indigenous Peoples**, this Bylaw serves to protect and develop the living traditions, ceremonies, and ecosystems of the Peguis First Nation by ensuring that sacred plants and traditional medicines remain within the exclusive stewardship and care of the community.

**4.2A.** This Bylaw recognizes that the stewardship of Traditional Medicines and Protected Traditional Resources is a collective responsibility shared by Peguis First Nation Members, and seeks to promote education, respectful harvesting practices, ecological sustainability, and intergenerational transfer of traditional knowledge.

**4.3.** In alignment with **Section 30 of the Indian Act**, any entry onto Peguis Lands by a non-member for the purpose of harvesting or removing resources without proper Authorization is recognized as a federal trespass offense, a violation of Peguis law, and a direct threat to the ecological integrity of the reserve.

### 5. PROTECT AND PRESERVE

**5.1.** Council shall use its best efforts to protect, maintain, and monitor all plant ecosystems on Peguis Lands. Registered Members of the Peguis First Nation retain an inherent right to harvest Protected Traditional Resources and Traditional Medicines across Peguis Lands for personal, family, ceremonial, cultural, or community purposes.

**5.2.** Members exercising the harvesting rights recognized under section 5.1 shall conduct all harvesting activities in accordance with Traditional Protocols, sustainable harvesting practices, and any applicable restrictions established under this Law, including practices intended to protect root systems, support regeneration, and prevent damage to harvesting areas for future generations.

**5.3.** For greater certainty, the cultural and ecological protections afforded under this Law apply comprehensively to all generations of **sweetgrass, sage, trees, bushes, leaves, wild rice, flowering plants, traditional plant medicines, all berries, all roots, and all culturally significant vegetation** located within Peguis Lands.

### 6. PROHIBITED ACTIVITIES

**6.1.** No person shall, without proper Authorization or a valid permit issued under this Law, engage in any of the following activities on Peguis Lands regarding a Protected Traditional Resource or Traditional Medicine:

(a) **Harvest or remove** the resource from its natural habitat;

- (b) **Damage, uproot, cut down, or destroy** the plant, tree, root system, or surrounding patch;
- (c) **Possess or transport** any resource that was collected without verified Authorization; or
- (d) **Commercially sell, barter, trade, or profit** from any resource extracted from Peguis Lands.

**6.2.** No corporate entity, business, or agent acting on behalf of a commercial enterprise shall enter Peguis Lands to locate, map, survey, bio-prospect, or extract any Protected Traditional Resource or Traditional Medicine for commercial sale, commercial landscaping, pharmaceutical research, or corporate profit.

**6.3.** Any person who violates Sections 6.1 or 6.2, or who aids, abets, or accompanies an unauthorized person or business in committing these acts, is guilty of an offence and subject to the enforcement, seizure, and penalty provisions laid out in this Law.

## **7. COUNCIL AUTHORITY**

**7.1.** Council, or its designated Lands Department, holds the exclusive authority to manage, regulate, and oversee the conservation of all plant ecosystems on Peguis Lands.

**7.2.** Without limiting the generality of the foregoing, Council may exercise its authority to:

(a) **Designate Protected Areas**

Formally set aside specific tracts or parcels of Peguis Lands where resource gathering is strictly prohibited or limited to preserve fragile ecosystems;

(b) **Establish Harvesting Protocols**

Enact traditional, cultural, educational, or ecological guidelines detailing how resources may be gathered, including requirements respecting sustainable harvesting methods, protection of root systems, avoidance of overharvesting, and the preservation of future plant regeneration;

(c) **Establish Harvesting Seasons**

Dictate specific dates or seasonal windows when certain Protected Traditional Resources or Traditional Medicines can or cannot be harvested to protect reproductive cycles;

(d) **Issue Permits**

Grant written Authorization, Guest Harvesting Permits, or Commercial Access Permits to non-members under strict conservation and community-benefit conditions; and

(e) **Revoke Permits**

Immediately cancel or suspend any previously issued permit if the holder violates this Law, breaches a permit condition, or causes unforeseen environmental degradation.

(f) **Mandate Traditional Protocols**

Require any approved permit holder to complete a mandatory cultural briefing with a Peguis Elder or Lands Guardian and strictly adhere to Peguis Traditional Protocols while gathering resources on Peguis Lands.

(g) **Seek Cultural Guidance**

Request advice and recommendations from Elders, Cultural Teachers, Medicine People, Knowledge Keepers, or Lands Guardians regarding Traditional Medicines, harvesting practices, culturally significant harvesting areas, and the protection of traditional knowledge.

**8. EMERGENCY PROTECTION ORDERS**

**8.1.** Where Council determines that a localized ecosystem, specific plant colony, or traditional medicine patch is under immediate threat, Council may issue an **Emergency Protection Order**, through a Band Council Resolution, to temporarily close a specified area of Peguis Lands or ban the harvesting of a specific plant species.

**8.2.** Council may issue an Emergency Protection Order and temporarily close an area or resource if:

(a) **Overharvesting occurs**

The volume of resource extraction exceeds sustainable thresholds, threatening the localized survival of the species or leaving insufficient supplies for Peguis Members;

(b) **Environmental damage occurs**

Soil erosion, habitat destruction, pollution, invasive species introduction, or climate-related stress threatens the integrity of the plant ecosystem; or

(c) **Regeneration is required**

A designated area or plant community requires a period of absolute rest, healing, and ecological restoration to successfully repopulate.

**8.3.** Any Emergency Protection Order issued under this section shall state the boundaries of the closed area, the specific resources protected, the duration of the closure, and the penalties for violation. Notice of the order shall be posted publicly at the Band Administration Office, on the boundaries of the affected land, and via community digital channels.

**8.4 Moratorium on Harvesting**

**8.4.1** Where Council, having considered the advice of Elders, Cultural Teachers, Medicine People, Knowledge Keepers, or Lands Guardians, determines that a Traditional Medicine or Protected Traditional Resource has become depleted, or is at risk of depletion, Council may, by Band Council Resolution (BCR), declare a Moratorium respecting the harvesting of that Traditional Medicine or Protected Traditional Resource for such period as Council considers necessary to protect its long-term sustainability and regeneration;

- 8.4.2 During the period of a declared Moratorium, notwithstanding section 5 or any permit issued under this Law, no person shall harvest, collect, remove, disturb, possess, or otherwise interfere with the affected Traditional Medicine or Protected Traditional Resource.

### **PART 3 – DESIGNATED HARVESTING AREA REGULATIONS**

## **9. ESTABLISHMENT AND MANAGEMENT OF DESIGNATED AREAS**

**9.1.** Council, via a Band Council Resolution after consultation with Peguis Elders and the Lands Department, may formally establish, alter, or dissolve **Designated Harvesting Areas** on Peguis Lands to sustainably manage the gathering of Protected Traditional Resources and Traditional Medicines.

**9.1A.** Council may consider the location of Certificate of Possession lands and may consult with affected Certificate of Possession holders where Council considers such consultation appropriate, provided that nothing in this section limits Council's authority to protect Traditional Medicines and Protected Traditional Resources under this Law.

**9.2.** When establishing a Designated Harvesting Area, the Lands Department shall map, document, and clearly define the geographical boundaries of the zone, including any specific access roads or paths.

**9.3.** Council may apply distinct operational regulations to any Designated Harvesting Area, including but not limited to:

**(a) Rotational Management**

Closing an area to all harvesting for a set number of years to allow soil and root regeneration, while opening an alternative area;

**(b) Species-Specific Management**

Restricting an area so that only specific resources (e.g., all berries and leaves) may be harvested, while strictly protecting others (e.g., sweetgrass or sage);

**(c) Quota Allocation**

Setting a maximum volume or weight of a Protected Traditional Resource that may be extracted from that area within a single calendar year; and

**(d) User Restrictions**

Dictating whether an area is reserved exclusively for Peguis Elders, community sustenance, or if it is open to approved Guest Harvesting Permit holders.

**9.4.** The Lands Department shall install highly visible boundary markers and signage at the entry points of all Designated Harvesting Areas. Signs must clearly state the current

status of the zone (e.g., "Open for Member Community Harvesting Only", or "Closed for Ecological Regeneration").

**9.5.** It is an offence under this Law for any person to harvest resources within a Designated Harvesting Area that has been marked as closed, or to violate any site-specific quota or rule established for that area.

#### **PART 4 – ENFORCEMENT**

### **10. OFFICER'S POWERS AND LANDS GUARDIAN ROLES**

**10.1.** An Officer has the authority to monitor compliance with this Bylaw and investigate any suspected unauthorized harvesting activities on Peguis Lands.

**10.2.** An Officer may:

**(a) Direct a person to stop harvesting**

Order any individual observed gathering plants to immediately cease all harvesting activities;

**(b) Require harvested materials be surrendered**

Demand that any illegally gathered plants, roots, or medicines be turned over to the Officer immediately;

**(c) Remove Trespassers**

Order any person lacking Legal Justification or a valid permit to immediately vacate Peguis Lands;

**(d) Seize unlawfully harvested resources**

Seize any botanical materials, along with any tools, bags, equipment, or vehicles used in the commission of the unauthorized harvesting; and

**(e) Demand Identification**

Request any person harvesting resources to produce their Peguis Membership Card or a valid Permit.

### **10.3. Expanded Role of Peguis Lands Guardians**

In addition to the baseline enforcement powers outlined in Section 10.2, a designated Peguis Lands Guardian is explicitly authorized and directed by Council to perform the following environmental stewardship duties:

**(a) Ecological Baseline Mapping**

Conduct ongoing field surveys to map the location, size, density, and health of traditional medicine patches and culturally significant vegetation;

**(b) Harvest Monitoring and Data Collection**

Interface with permitted harvesters in the field to inspect permits, verify that collection techniques are non-destructive, and log data regarding total volumes extracted;

(c) **Post-Harvest Impact Site Audits**

Inspect past harvesting sites to ensure soil stability is intact, root matrices have not been destroyed, and no invasive species have been introduced by human activity; and

(d) **Advisory Reporting**

Provide regular, monthly ecological health reports directly to the Lands Department and Council, highlighting any specific zones requiring immediate protection or regeneration rest periods.

(e) **Community Education and Stewardship**

Assist with community education initiatives respecting Traditional Medicines, sustainable harvesting techniques, ecological stewardship, and the transmission of traditional harvesting knowledge to future generations.

**11. SEIZURE AND FORFEITURE**

**11.1.** All items seized under Section 10.2 shall be moved to a secure location designated by the Lands Department. Traditional medicines and plants may be immediately returned to the earth, gifted to Peguis Elders, or stored safely to be used as evidence in legal proceedings.

**11.2.** Upon a conviction for an offence under this Law, or if the owner of the seized property cannot be identified within thirty (30) days, the seized items—including equipment and vehicles—shall be automatically forfeited to the Peguis First Nation to be disposed of, sold, or utilized at the absolute discretion of Chief and Council.

**PART 5 – OFFENCES AND PENALTIES**

**12. VIOLATIONS AND FINES**

**12.1.** Every person or corporate entity who contravenes any provision of this Bylaw or fails to comply with an order issued by an Officer is guilty of an offence.

**12.2.** Any corporate entity or business convicted of an offence under this Law is liable to a fine of not less than \$1,000 for each offence.

**12.3.** Any individual non-member convicted of unauthorized harvesting under this law is liable to a summary conviction fine of not less than \$1,000 and for a term of imprisonment of up to thirty (30) days.

**12.4.** In addition to financial penalties, a court or Council may order a convicted party to pay full restitution to the Peguis First Nation to cover the costs of ecological remediation and the replanting of damaged medicine patches.

**12.5.** If a corporation commits an offence under this Law, any officer, director, or agent of the corporation who directed, authorized, assented to, or acquiesced in the commission of

the offence is a party to and guilty of the offence, and is liable to the penalties provided for individuals.

**12.6.** Nothing in this Bylaw prevents the Peguis First Nation from pursuing civil damages for trespass and conversion of resources, or from initiating a private prosecution in the Provincial Court of Manitoba against non-member individuals or businesses.

## **PART 6 – PERMIT FEE STRUCTURE**

### **13. ESTABLISHMENT OF PERMIT FEES**

**13.1.** The Lands Department shall collect a non-refundable application review fee for any permit requested by a non-member or external business entity under this Law.

**13.2.** Permit fees are established to offset the administrative costs of processing, field monitoring, and ecological impact surveys. The fee tier structure is set out in Schedule "B" of this Law.

**13.3.** Council, via a Band Council Resolution, may waive or alter any permit fee for non-commercial, inter-tribal cultural exchange applications or for educational research initiatives that directly benefit Peguis youth and Elders.

## **PART 7 – GENERAL PROVISIONS**

### **14. GENERAL**

**14.1.** In this Bylaw, where the context allows:

- (a) A provision applies to all persons regardless of what gender they identify as;
- (b) All words in the singular will include the plural and vice-versa where the context allows; and
- (c) The word "include", "includes", or "including", when following any general term or statement, is not to be construed as limiting the general term.

### **15. NO LIABILITY**

**15.1.** None of the Council, Executive, Members, Land Guardians, Officers, employees, representatives or agents of any of Peguis or the Council are liable for any damages or other loss, including economic loss, sustained by any person, or to the property of any person, as a result of any action taken, omission, neglect, or failure in carrying out the enforcement of this Bylaw.

### **16. AMENDMENT AND SEVERANCE**

**16.1.** This Bylaw may only be amended by a quorum of the Council at a duly convened Council meeting.

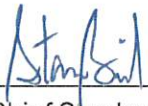
**16.2.** If a court determines that a provision of this Bylaw is invalid for any reason, then the provision shall be severed from the Bylaw, and the validity of the rest of the Bylaw shall not be affected.

17. REPEAL

17.1. All previous Band Council Resolutions, policies, or enactments passed by Peguis First Nation regarding non-member plant harvesting on reserve lands prior to the date of this enactment are hereby repealed and replaced by this Law.

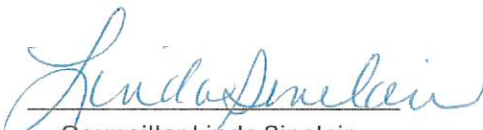
**THIS BYLAW IS HEREBY ENACTED** at a duly convened meeting of the Council of the Peguis First Nation on this 29 day of June, 2026.

Voting in favour of this Bylaw are the following members of the Council:

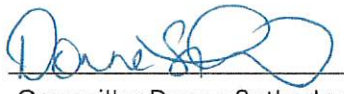
  
\_\_\_\_\_  
Chief Stanley Bird

\_\_\_\_\_  
Councillor Mary Tyler Bear

  
\_\_\_\_\_  
Councillor Dennis Cameron

  
\_\_\_\_\_  
Councillor Linda Sinclair

\_\_\_\_\_  
Councillor Terrance Sinclair

  
\_\_\_\_\_  
Councillor Donna Sutherland

Being the majority of those members of the Council of the Peguis First Nation present at the foresaid meeting of the Council.

The quorum of the Council is 4 members, with \_\_\_\_ members of the Council present at the meeting.

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## SCHEDULE "A" – PERMIT APPLICATION FRAMEWORK

### *(Sample Template)*

This Schedule outlines the mandatory information, criteria, and screening process that any non-member or external business entity must complete before the Peguis First Nation Lands Department will consider issuing a **Traditional Resource Permit** or **Commercial Access Permit**.

#### 1. APPLICATION REQUIREMENTS

Every applicant must submit a formalized written application to the Peguis Lands Department containing:

- (a) **Applicant Identity:** Full legal name, corporate registration numbers (if applicable), and verified contact information of the individual or business entity;
- (b) **Purpose of Harvesting:** A detailed written statement explaining whether the harvest is for non-commercial inter-tribal cultural exchange (Guest Permit) or for commercial, pharmaceutical, research, or resale purposes (Commercial Access Permit);
- (c) **Target Resources:** The exact common and scientific names of the specific Protected Traditional Resources, trees, roots, bushes, or Traditional Medicines they intend to harvest;
- (d) **Quantity and Methods:** The exact estimated volume, weight, or number of plants to be collected, along with an explicit description of the tools and harvesting methods to be used; and
- (e) **Proposed Location and Timeline:** The requested location or coordinates on Peguis Lands and the exact calendar dates and hours of the proposed harvesting activities.

#### 2. ENVIRONMENTAL AND CULTURAL IMPACT SURVEY

For all Commercial Access Permits, the applicant must fund and provide:

- (a) **An Eco-Impact Assessment:** Evidence that the requested harvest volume will not cause soil erosion, damage root networks, or deplete the local plant colony below sustainable regeneration levels; and
- (b) **A Traditional Knowledge & Benefit-Sharing Proposal:** A written statement demonstrating how their business will provide financial or material benefits back to the Peguis First Nation (e.g., royalties, community employment, or sharing of research data) and an agreement to respect Peguis intellectual property regarding Traditional Medicines.

#### 3. EVALUATION AND DECISION CRITERIA

The Peguis Lands Department and Council shall evaluate the application against the following strict criteria:

- (a) **Community Priority:** Whether the requested harvest will interfere with or reduce the availability of food and medicine for Peguis First Nation Members and Elders;

- (b) **Ecosystem Health:** The current ecological health, stress level, and regeneration status of the target plant species and the requested land zone; and
- (c) **Cultural Considerations:** Whether the proposed harvesting activity is consistent with Peguis Traditional Protocols, sustainable harvesting practices, and any recommendations provided by Elders, Cultural Teachers, Knowledge Keepers, Medicine People, or Lands Guardians.
- (d) **Applicant Record:** Whether the applicant or business has any history of unauthorized harvesting, trespassing, or environmental violations on Peguis Lands or other First Nations territories.

#### 4. PERMIT ISSUANCE AND CONDITIONS

If approved, the permit shall be issued in writing, signed by the Lands Manager or Council, and must clearly state:

- (a) A unique Permit Identification Number;
- (b) The exact name of the authorized individual(s) or business agents (permits are strictly non-transferable);
- (c) The strict expiry date (permits shall never exceed one calendar year);
- (d) A mandatory requirement to carry the physical permit at all times and present it immediately to any Peguis Lands Guardian or Enforcement Officer upon request; and
- (e) An explicit statement affirming that the permit holder has completed a cultural briefing and agrees to comply with Peguis Traditional Protocols, sustainable harvesting practices, and any site-specific directions provided by a Peguis Elder, Cultural Teacher, Knowledge Keeper, Medicine Person, Lands Guardian, or Lands Department representative.

## SCHEDULE "A" – PERMIT APPLICATION FORM

(Sample Template)

### PEGUIS FIRST NATION LANDS DEPARTMENT

*Traditional Resources Protection Law (Bylaw No. 2026-01)*

Box 10, Peguis Reserve, Manitoba, R0C 2W0

Email: lands.permits@peguisfirstnation.ca | Phone: (204) 645-2359

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#### PART 1: APPLICANT IDENTIFICATION

Full Legal Name of Primary Applicant: \_\_\_\_\_

Company / Organization Name (if applicable): \_\_\_\_\_

Corporate Registration Number (if applicable): \_\_\_\_\_

Street Address / Suite: \_\_\_\_\_

City / Province / Postal Code: \_\_\_\_\_

Telephone Number: \_\_\_\_\_ Email Address: \_\_\_\_\_

#### PART 2: PERMIT CATEGORY REQUESTED (Circle one)

Category 1: Guest Harvesting Permit (Non-Commercial Inter-Tribal Exchange) | Fee: \$50.00

Category 2: Academic / Botanical Research Permit (Non-Commercial Study) | Fee: \$500.00

Category 3: Commercial Access Permit (Independent Forager / Small Business) |

Fee: \$2,500.00

Category 4: Commercial Access Permit (Corporate / Pharmaceutical Enterprise) |

Fee: \$10,000.00

#### PART 3: PROPOSED HARVEST DETAILS

1. Target Species Requested:

(List the common and scientific names of specific trees, bushes, berries, roots, or plants you intend to collect)

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**2. Estimated Harvest Volumes:**

*(Provide exact targets in total kilograms, weight, or individual counts expected)*

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**3. Extraction Tools and Collection Methods:**

*(Describe all equipment, machinery, hand tools, or processing methods to be deployed in the field)*

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**PART 4: TIMELINE AND GEOGRAPHIC LOCATION**

**Requested Entry Date:** \_\_\_\_\_ **Requested Expiry Date:** \_\_\_\_\_

**Specific Reserve Tract(s) / Location Coordinates Requested:**

*(Specify by Peguis Reserve numbers, landmark names, or GPS polygon data coordinates)*

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**PART 5: MANDATORY COMMERCIAL ATTACHMENTS *(For Categories 3 & 4 Only)***

Please verify that the following documents are enclosed with this application form:

**Eco-Impact Assessment Study:** Independent proof verifying that your harvest volumes will not cause soil erosion or drop local plant colonies below sustainable levels.

**Benefit-Sharing Proposal:** Documentation showing your plan for community employment, royalties, or financial payments to the Nation.

**Corporate Registration Records:** Proof of business registry, list of directors, and liability insurance naming Peguis First Nation as an additional insured party.

**PART 6: APPLICANT DECLARATION AND ACKNOWLEDGEMENT**

I, \_\_\_\_\_, hereby declare that the information provided in this application package is true, accurate, and complete.

**Traditional Protocols Acknowledgement:**

I acknowledge that I must participate in a cultural orientation respecting Peguis Traditional Protocols, sustainable harvesting practices, and the protection of traditional medicines and harvesting areas on Peguis Lands.

By signing below, I explicitly agree that if a permit is issued to me, I will carry it on my person at all times while on Peguis Lands and present it immediately upon demand to any Peguis Lands Guardian or Officer. I recognize that I am bound by all provisions of the *Peguis First Nation Traditional Resources Protection Law*, and that any violation, destructive harvesting, or harvesting outside of approved boundaries will result in immediate permit revocation, the seizure of my equipment, and minimum fines starting at \$2,500.00 for individuals and \$10,000.00 for corporations.

**Print Name of Applicant:** \_\_\_\_\_

**Signature of Applicant:** \_\_\_\_\_ **Date:** \_\_\_\_\_, 20\_\_\_\_\_

**FOR INTERNAL OFFICE USE ONLY – DO NOT WRITE BELOW THIS LINE**

**Date Application Received:** \_\_\_\_\_ **Received By (Staff Name):** \_\_\_\_\_

**Application Processing Fee Paid:** ☐ Yes ☐ No **Receipt Number:** \_\_\_\_\_

**Lands Guardian Field Review Completed:** ☐ Yes ☐ No **Date of Review:** \_\_\_\_\_

**APPLICATION STATUS DECISION:**

**APPROVED** | Issued Permit Number: \_\_\_\_\_

*Special Conditions Attached:* \_\_\_\_\_

**DENIED**

*Primary Grounds for Denial:* \_\_\_\_\_

\_\_\_\_\_  
**Signature of Lands Department Manager**

\_\_\_\_\_  
**Date of Decision**

## **SCHEDULE "B" – PERMIT FEES SCHEDULE**

### ***(Sample Template)***

The following flat fee structure applies to all non-member permit evaluations. All fees must be paid in full to the Peguis First Nation Finance Department prior to an application being reviewed by the Lands Department:

#### **Category 1: Guest Harvesting Permit (Non-Commercial Inter-Tribal)**

- Application Review Fee: **\$50.00 CAD**
- Permit Duration: Maximum 7 consecutive calendar days.
- Condition: Limited strictly to traditional, personal, or ceremonial exchange volumes. Commercial resale is absolutely prohibited.

#### **Category 2: Academic, Botanical, or Scientific Research Permit**

- Application Review Fee: **\$500.00 CAD**
- Permit Duration: Maximum 6 months (renewable once).
- Condition: Requires an active, signed data-sharing agreement with the Peguis Lands Department. No commercial monetization of findings is permitted.

#### **Category 3: Commercial Access Permit (Small-Scale Business / Forager)**

- Application Review Fee: **\$2,500.00 CAD**
- Permit Duration: Maximum 30 calendar days.
- Condition: Restrained to a specific Designated Harvesting Area and bounded by strict daily weight limits monitored by Lands Guardians.

#### **Category 4: Commercial Access Permit (Corporate, Enterprise, or Pharmaceutical Entity)**

- Application Review Fee: **\$10,000.00 CAD**
- Permit Duration: Evaluated on a case-by-case basis, not to exceed one calendar year.
- Condition: Requires a formal Material Transfer Agreement and a Council-approved Benefit-Sharing Proposal, alongside mandatory bonding for ecological remediation.