

SECTION 4

Preliminary Territorial Descriptions

In the case of inconsistency between the French and English texts, the French text will have priority in both the preliminary and final territorial descriptions.

The English system of measures is used to indicate distances in the following descriptions.

The distances and the areas delimited by the following descriptions are approximate.

It is understood that the following territorial descriptions for Category I lands are preliminary in the sense that they will be defined precisely within a period of approximately three (3) years by a written and cartographic description based upon technical surveys on the ground and upon cartography at a scale of 1:50,000 or larger.

The preliminary territorial descriptions hereto attached as Annex I to this Section only describe external limits and do not take into account enclaves of Category III lands which may exist within Category I and II lands.

Category IA lands are those lands in the description of Category I lands which do not fall within the description of Category IB and IB special lands.

It is understood that the areas of certain enclaves of Category III lands within Category I and II lands may be excluded from the areas calculated for Category I and II lands with the mutual consent of the James Bay Crees, Québec and, in the case of Category IA lands, Canada.

Unless otherwise provided in the following preliminary territorial descriptions, when 50% or more of the area of a lake falls within the description of Category I or II lands, the lake is to be considered Category I or II and its area is to be included in the calculation of areas for Category I or II land, as the case may be.

The areas of Category IB lands in the following descriptions include sixty three decimal three square miles (63.3 sq. m.) for the non-status Crees of James Bay and seventeen decimal four tenths square miles (17.4 sq. m.) for the Inuit of Fort George.

It is understood that the James Bay Crees shall have a right to the land areas indicated at the end of the territorial description for each community, totalling two thousand one hundred and forty decimal six square miles (2,140.6 sq. m.) for Category I lands, of which one thousand two hundred and seventy four square miles (1,274 sq. m.) shall be Category IA. Similarly, the James Bay Crees shall have a right to twenty four thousand eight hundred and ninety-nine square miles (24,899 sq. m.) of Category II lands south of the 55th parallel north.

(Paragraph deleted)

The preliminary territorial descriptions for Category I and II lands have been accepted by all the parties to this agreement. However, the parties have agreed that the descriptions may be modified subsequently with the mutual consent of the parties to take into account such modifications as may be agreed to by the parties, and to ensure that the territorial descriptions correspond to the land areas provided herein for Category I and II lands.

Such modifications will take into account the precision of existing cartographic and survey techniques.

Revised territorial descriptions for Category I lands must be agreed upon prior to the commencement of ground survey, and the revised territorial descriptions for Category II lands shall be authoritative.

The portions of the La Grande, Eastmain and Rupert rivers bounded to the north by Category IB special and to the south by Category IA form part of Category II lands. Rivers, and islands within rivers, situated within Category II lands form part of Category II lands. Waterbodies, and islands within such waterbodies, which fall within Category I lands form part of Category I lands. In front of Category I and II lands, the intertidal zone forms part of Category II and is included in the calculation of land areas for Category II. In front of Category III lands, the intertidal zone is Category III. Unless otherwise agreed upon, the two hundred foot

(200 feet) corridors described in the territorial descriptions between the high-water mark of major waterbodies and the limits of Category I lands form part of Category II lands.

Notwithstanding the cartographic descriptions for the Category IA lands, Category IB lands, special Category IB lands and Category II lands for Fort George shown on the attached maps, the cartographic descriptions for the said lands for Fort George are those shown on the maps attached as Schedules 1 and 2 to Annex 1 of this Section, which schedules form part of this Section.

The preliminary territorial descriptions of Category I and II lands for the Crees of Oujé-Bougoumou are set out in Schedule 6 to Complementary Agreement No. 22, subject to the provisions of section 7 thereof.

For greater certainty, for the purposes of Section 11B, Oujé-Bougoumou Category II lands are described in the present Section 4.

JBNQA, s. 4

A. corr.

Compl. A. no. 3, ss. 1 and 2

Compl. A. no. 22, sch. 1, s. 2

Annex 1

Territorial description

1. Fort Rupert

1.1 Category I

A territory situated south of Rupert River and comprising all the land delimited by the geometrical segments, topographical features and other boundaries, as follows:

“Commencing at the point of intersection of the line south of the forebay of Dam R2 and of meridian 78° 29' west; in a direction due south, up to the point of intersection of latitude 51° 18' 30" north; in a direction due west, a distance of forty-seven thousand feet (47 000 ft.); in a direction due south, a straight line up to the point of intersection of a line situated two hundred feet (200 ft.) north of the north shore of the Nottaway River; in a general direction northwest, north and northeast, a line parallel to the high-water mark of the Nottaway River and Rupert Bay and situated two hundred feet (200 ft.) away from the latter towards the hinterland, up to a point situated one mile (1 mi.) to the southwest of the centre of Fort Rupert's community; in a direction northwest, a distance of two hundred feet (200 ft.) up to the point of intersection of the high-water mark of Rupert River; in a general direction northeast and east, the high-water mark of Rupert River on a distance of two miles (2 mi.); in a direction south, a distance of two hundred feet (200 ft.); in a general direction east, a parallel line and two hundred feet (200 ft.) away towards the hinterland from the high-water mark of the south shore of Rupert River up to the tailwater of Dam R1; in a direction south, a straight line up to the point of intersection of the southern limit of the forebay of the aforesaid dam; in a general direction southeast, the southern limit of the forebay of the aforesaid dam up to the tailwater of Dam R2; in a direction southwest, a straight line up to the point of intersection of the line southern limit of forebay of Dam R2; in a general direction southeast, the forebay limit of the dam referred to above up to the point of commencement.”

1.2 Special Category IB

A territory situated north of Rupert River and comprising all the land delimited by the geometrical segments, topographical features and other boundaries, as follows:

“Commencing at the point of intersection of meridian 78° 43' west with a line situated at two hundred feet (200 ft.) north of the high-water mark of the north shore of Rupert River; in a direction due north, a distance of twenty-three thousand feet (23 000 ft.); in a direction due west, a straight line up to the point of intersection of a line situated two hundred feet (200 ft.) away, towards the hinterland, from the high-water mark of Rupert Bay; in a general direction south and east, a line parallel to the high-water mark of Rupert Bay and of Rupert River and two hundred feet (200 ft.) away from the latter towards the hinterland up to the point of commencement.”

These territories in Categories I and IB Special cover an area of three hundred and three square miles (303 sq. mi.) including the six square miles (6 sq. mi.) for the non-status Crees.

1.3 Category IB

Category IB lands cover an area of eighty-nine decimal six square miles (89.6 sq. mi.), and are situated south of the Broadback River; the boundary north is close to latitude 51° 16" approximatively; the east, south and west boundaries are the boundaries the outlined in the territorial description of Category I lands mentioned above; this area excludes the twenty-four decimal three square miles (24.3 sq. mi.) of Special Category IB lands situated north of Rupert River.

1.4 Category II

A territory comprising all the land delimited by the geometrical segments, topographical features and other boundaries, as follows:

“Commencing at the point of intersection of meridian 78° 43' west with the high-water mark of the north shore of Rupert River; in a direction due north, a distance of twenty-three thousand two hundred feet (23 200 ft.); in a direction due west, a straight line up to the point of intersection of the low-water mark of the coast of Rupert Bay; in a direction generally northeast, the said low water mark up to the point of latitude 51° 40' north; in a direction due east, a straight line up to the point of intersection of meridian 78° 45' west; in a direction due south, a distance of one thousand feet (1 000 ft.); in a direction due east, a straight line up to the point of intersection of a line parallel to the LG 2 – Matagami Road and situated four miles (4 mi.) west of the latter; in a general direction south and southwest, the said line to the point of intersection with the north shore of the Broadback River; the said north shore of the Broadback River up to the point of latitude 51° 08' north; in a direction due west, a distance of twenty-one thousand feet (2 100 ft.); in a direction due south, a distance of thirty-seven thousand feet (37 000 ft.); in a direction due west, a straight line up to the intersection point of meridian 78° 00' west; in a direction due south, a distance of one hundred and sixty thousand feet (160 000 ft.); in a direction due west, a straight line up to the point of intersection of meridian 78° 52' 30" west; in a direction due north, an estimated distance of one hundred and forty thousand feet (140 000 ft.), namely, up to the intersection of the high-water mark of the south shore of the Missisicabi River; in a general direction west-northwest, the high-water mark of the north shore of the said river up to the point of intersection of meridian 79° 17' west; in a direction due north, a straight line up to the intersection of the high-water mark of the east shore of the Novide River at the point where it empties in Cabbage Willows Bay; in a general direction northeast, east and south, following the eastern shore of the Novide River, the low-water mark of the south shore of Cabbage Willows Bay and the low-water mark of the south shore of Rupert Bay and the Nottaway River up to the point of intersection of latitude 51° 21' north; in a direction due east, a straight line up to the point of intersection of a line parallel to the high-water mark of the east shore of the Nottaway River and two hundred feet (200 ft.) away from the latter towards the hinterland; in a general direction southeast, a line parallel to the high-water mark of the northeast shore of the Nottaway River and two hundred feet (200 ft.) away from the latter towards the hinterland, up to the point of intersection of the meridian situated forty-seven thousand feet (47 000 ft.) west of meridian 78° 29' west; northward, up to the point of intersection of latitude 51° 18' 30" north; in a direction due east, a distance of forty-seven thousand feet (47 000 ft.); in a direction due north, a straight line up to the point of intersection of the southern boundary of the forebay of Dam R2, in a general direction northwest, the southwest boundary of the forebay of the aforesaid dam, the southwest boundary of the tailwater of the aforesaid dam, the southwest boundary of the forebay of Dam R1, the southwest boundary of the tailwater of the aforesaid dam, a line parallel to the high-water mark of the south shore of Rupert River, and two hundred feet (200 ft.) away from the latter towards the hinterland, up to the point of intersection of meridian 78° 43' west; in a direction due north, a straight line up to the point of commencement.”

The strip of land between a line parallel to and distant two hundred feet (200 ft.) from the high-water mark of the south bank of the Rupert River and the fore-bay limits described in the preceding description of Category I lands will be Category I until the decision is taken to proceed with the construction of the works of the NBR complex at this location.

The portion of the Broadback River situated within Category I lands and a corridor of two hundred feet (200 ft.) on each side of the river measured from the high-water mark will be Category II.

This territory of Category II covers an area of three thousand nine hundred and forty-seven square miles (3 947 sq. mi.).

2. Eastmain

2.1 Category I

A territory situated to the south of the Eastmain River and comprising all the land delimited by the geometrical segments, topographical features and other boundaries, as follows:

“Commencing at the point of intersection of a line parallel to the high-water mark of James Bay and two hundred feet (200 ft.) away from the latter towards the hinterland, with latitude $52^{\circ} 09' 20''$ north; in a general direction north and east, the said line situated on the mainland, parallel to the high-water mark of James Bay and, then, of the south shore of the Eastmain River up to a point situated one mile (1 mi.) from the centre of the Eastmain community; in a direction north a distance of two hundred feet (200 ft.) up to the point of intersection of the high-water mark of the Eastmain River; in a general direction east, the high-water mark of the Eastmain River on a distance of two miles (2 mi.); in a direction south, a distance of two hundred feet (200 ft.); in a general direction east, a line parallel to the high-water mark of the Eastmain River and two hundred feet (200 ft.) away from the latter towards the hinterland up to the point of intersection of meridian $77^{\circ} 55' 30''$ west; in a direction due south, a straight line up to the point of latitude $52^{\circ} 04' 20''$ north; in a direction due west, a distance of fifty-five thousand feet (55 000 ft.); in a direction due north, a straight line up to the point of latitude $52^{\circ} 09' 20''$ north; in a direction due west, a straight line up to the point of commencement.”

2.2 Special Category IB

A territory situated to the north of the Eastmain River and comprising all the land delimited by the geometrical segments, topographical features and other limits, as follows:

“Commencing at the point of intersection of a line parallel to the high-water mark of the north shore of the Eastmain River and two hundred feet (200 ft.) from the latter towards the hinterland, and of meridian $78^{\circ} 23'$ west; in a direction due north, a distance of twelve thousand five hundred feet (12 500 ft.); in a direction north $49^{\circ} 00'$ west, a distance of twenty-four thousand five hundred feet (24 500 ft.); in a direction due west, a straight line up to the point of intersection of a line parallel to the high-water mark of James Bay and two hundred feet (200 ft.) away from the latter towards the hinterland; in a general direction southwest, south and east, the said line parallel to the high-water mark of James Bay and of the north shore of the Eastmain River up to the point of commencement.”

These Categories I and IB Special lands cover an area of one hundred and eighty-nine square miles (189 sq. mi.).

2.3 Category IB

These Category IB lands comprise an area of one hundred and four decimal thirty-four square miles (104.34 sq. mi) and are situated in the south part of Category I lands, as described above; the north boundary of this territory is a straight line closeto parallel $52^{\circ} 11'$ north; the boundaries east, south and west are the boundaries described in the territorial description of Category I lands already mentioned; this area excludes the twenty-four decimal nine square miles (24.9 sq. mi.) of Category IB Special lands situated north of Eastmain River.

2.4 Category II

A territory, situated to the north and south of the Eastmain River and comprising all the land delimited by the geometrical segments, topographical features and other limits, as follows:

“Commencing at the point of intersection of the high-water mark of the north shore of the Eastmain River with meridian $78^{\circ} 23'$ west; in a direction due north, a distance of twelve thousand five hundred feet (12 500 ft.); in a direction north $49^{\circ} 00'$ west, a distance of twenty-four thousand five hundred feet (24 500 ft.); in a direction due west, a straight line up to the point of intersection of the low-water mark of James Bay; in a general direction north, the said low-water mark of James Bay to the point of latitude $52^{\circ} 28' 40''$ north; in a direction due east, a distance of approximately ninety thousand feet (90 000 ft.), namely, up to the point of intersection of the high-water mark of the southwest extremity of an unnamed lake the geocentrical coordinates of which are $78^{\circ} 05'$ west and $52^{\circ} 30'$ north; in a general direction north, east and south, the said high-water mark up to the point of latitude $52^{\circ} 30'$ north; in a direction due east, a distance of approximately one hundred and

thirty thousand feet (130 000 ft.), namely, up to the meridian $77^{\circ} 28' 40''$ west; in a direction due south, a distance of approximately six thousand feet (6 000 ft.), namely, up to the point of intersection of the high-water mark of Duxbury Lake; the said high-water mark up to a point of intersection of a line parallel to the Matagami – LG 2 Road and four miles (4 mi.) away from the latter towards the west; (Lake Duxbury being excluded from the territory presently described); in a general direction southeast, south and southwest, the said line parallel to the Matagami – LG 2 Road and four miles (4 mi.) away from the latter towards the west up to the point parallel $51^{\circ} 58' 40''$ north; in a direction due west, a distance of approximately one hundred and seventy thousand feet (170 000 ft.), namely, up to the point situated at a distance of fifty-five thousand feet (55 000 ft.), west of meridian $77^{\circ} 55' 30''$ west; in a direction due north a straight line up to the point of latitude $52^{\circ} 04' 20''$ north; in a direction due east, an approximate distance of fifty-five thousand feet (55 000 ft.); in a direction due north, a straight line up to the point of intersection of a line situated at two hundred feet (200 ft.) south of the high-water mark of the south shore of the Eastmain River; in a general direction west, the said line situated two hundred feet (200 ft.) south of the high-water mark of the south shore of the Eastmain River up to the point of intersection of meridian $78^{\circ} 23'$ west; in a direction due north, a straight line up to the point of commencement.”

This territory of Category II covers an area of one thousand three hundred and eighty-four square miles (1 384 sq. mi.).

3. Nouveau Comptoir (Paint Hills, Wemindji)

3.1 Category I

A territory situated northwest of the Sabasunica River and comprising all the land delimited by the geometrical segments, topographical features and other boundaries, as follows:

“Commencing at the point of intersection of a line parallel to the high-water mark of the north shore of the Sabasunica River and two hundred feet (200 ft.) away from the latter towards the hinterland, with meridian $78^{\circ} 31' 20''$ west; in a direction due north, a distance of forty thousand feet (40 000 ft.); in a direction due west, a straight line up to the point of intersection of a line parallel to the high-water mark of James Bay and two hundred feet (200 ft.) away from the latter towards the hinterland; in a general direction south, southeast, southwest and southeast, the said line parallel to the high-water mark of James Bay and Paint Hills Bay and two hundred feet (200 ft.) away from the latter towards the hinterland, up to a point situated two hundred feet (200 ft.) from the mouth of the Sabasunica River; in a general direction north and northeast, a line parallel to the high-water mark of the northwest shore of the Sabasunica River and two hundred feet (200 ft.) away from the latter towards the hinterland up to the point of commencement.”

This territory of Category I covers an area of one hundred and ninety-eight square miles (198 sq. mi.).

3.2 Category IB

Category IB lands cover an area of seventy-one decimal nine square miles (71.9 sq. mi.) and are situated in the south and east part of Category I lands described above; the north boundary of this territory is a straight line the coordinates of which are approximately $78^{\circ} 31' 0''$ west and $53^{\circ} 00'$ north initially; in a direction due west, a distance of thirty thousand feet (30 000 ft.); in a direction due south, a distance of fifteen thousand feet (15 000 ft.); in a direction due west, a distance of approximately twenty-eight thousand feet (28 000 ft.) up to a point situated two hundred feet (200 ft.) east of the high-water mark of James Bay; the boundaries east, south and west are the boundaries outlined in the territorial description of Category I described above.

3.3 Category II

A territory comprising all the land delimited by the geometrical segments, topographical features and other limits, as follows:

“Commencing at the point of intersection of the high-water mark of the north shore of the Sabasconica River with meridian $78^{\circ} 31' 20''$ west; in a direction due north, a distance of forty thousand two hundred feet (40 200 ft.); in a direction due west, a distance of forty-three thousand feet (43 000 ft.); in a direction due north, a distance of seventy-five thousand feet (75 000 ft.); in a direction due east, a distance of ninety-four thousand feet (94 000 ft.); in a direction due north $75^{\circ} 00'$ east, a distance of one hundred thousand feet (100 000 ft.); in a direction due east, a straight line up to the point of intersection of a line parallel to the Matagami – LG 2 Road and four miles (4 mi.) away from the latter towards the west; in a general direction south, the said line parallel to the Matagami – LG 2 Road and four miles (4 mi.) away from the latter towards the west and following the high-water mark of the west shore of an unnamed lake, the geocentrical coordinates of which are $77^{\circ} 36'$ west and $53^{\circ} 21'$ north, and west the shore of Lake Yasinski and Lake McNab, the said line up to a point of latitude $52^{\circ} 33'$ north; in a direction due west, a straight line of approximately two hundred and thirty-five thousand feet (235 000 ft.) up to the point of intersection of meridian $78^{\circ} 30'$ west; in a direction due north, a distance of twenty-two thousand feet (22 000 ft.); in a direction due west, a straight line up to the point of intersection of the high-water mark of the south shore of the Vieux Comptoir River; in a general direction due west, the said high-water mark of the south shore of the Vieux Comptoir River up to the point of latitude $52^{\circ} 35' 40''$ north; in a direction due west, a straight line up to the point of intersection of the low-water mark of James Bay; in a general direction north, the said low-water mark of James Bay and Moar Bay up to a point situated on a line parallel to the north and northwest shore of the Sabasconica River and two hundred feet (200 ft.) away from the latter inland; the said line to the point of intersection with meridian $78^{\circ} 31' 20''$ west, namely, to the point of commencement.”

This territory of Category II covers an area of two thousand six hundred and thirty-four square miles (2 634 sq. mi.).

4. Fort George

4.1 Category IA lands

A territory situated south of La Grande River, east of James Bay, bounded to the east by Category IB lands, and to the south by an unnamed river the mouth of which is in “Dead Duck” bay, shown on the preliminary maps, which are not based upon technical surveys and which are attached as Schedule 1 to this annex, and comprising all the land delimited by the geometrical segments, topographical features and other boundaries as follows:

“Commencing at a point formed by the intersection of meridian $78^{\circ} 30' 46''$ west with a line parallel to elevation 108 and at a distance therefrom of two hundred feet (200 ft. or 60.96 m) toward the hinterland; from there in a direction due south for a distance of approximately sixty-nine thousand feet (69,000 ft. or 21,031 m) until the line of the high water mark of the north shore of an unnamed river the mouth of which is in Dead Duck bay; in a general direction west, by following the high water mark of the north shore of this river until it meets with a line parallel to the high water mark of James Bay at a distance from the latter of two hundred feet (200 ft. or 60.96 m) toward the hinterland; in a general direction north, east and southeast by following that said line parallel to the line of the high water mark of James Bay and a line parallel to the high water mark of the south shore of La Grande River and at a distance therefrom of two hundred feet (200 ft. or 60.96 m) toward the hinterland until it meets a point situated one mile (1.0 mi or 1.61 km) north-west of the center of the site of the proposed village of Fort George; toward the north-east a distance of two hundred feet (200 ft or 60.96 m) until it meets with the line of the highwater mark of the south shore of La Grande River; from there in a general direction southeast following this line of the highwater mark for a distance of two miles (2 mi or 3.22 km); toward the southwest for a distance of two hundred feet (200 ft or 60.96 m) until it meets with a line parallel to the line of the high water mark of the south shore of La Grande River at a distance from the latter of two hundred feet (200 ft or 60.96 m) toward the hinterland; from there in a general direction southeast and east following the said line parallel to the high water mark of the south shore of La Grande River at a distance from

the latter of two hundred feet (200 ft or 60.96 m) toward the hinterland, until Block La Chesnay (proposed) at meridian 78° 36' 20" west; in a direction south 1° 50' west for a distance of one thousand nine hundred feet (1,900 ft or 579.1 m); in a direction south 40° 55' east for a distance of four thousand seven hundred and fifty feet (4,750 ft or 1,447.8 m); in a direction south 88° 10' east for a distance of nine thousand eight hundred feet (9,800 ft or 2,987 m); in a direction north 1° 50' east for a distance of approximately three thousand feet (3,000 ft or 914.4 m) until it meets with a line parallel to elevation 108 and at a distance from the latter of two hundred feet (200 ft or 60.96 m) toward the hinterland; in a general direction east by following the said line parallel to elevation 108 and at a distance from the latter of two hundred feet (200 ft or 60.96 m) toward the hinterland until meridian 78° 30' 46" west at the point of commencement”.

Along James Bay, Walrus Point may be included in Category IA lands if the said Walrus Point is part of the mainland.

Category IA lands shall include that part of l’Ile du Gouverneur within the highwater mark of La Grande River (known also as Fort George island) where the Fort George village is located. If the Fort George village is relocated, the parties agree that this island shall nevertheless remain Category IA lands, subject to a prohibition to maintain or re-establish a community, and community facilities, services and structures on the said island. Such prohibition to build such facilities, services or structures of any nature shall constitute a servitude in favour of the parties hereto other than the native parties. Notwithstanding the above, such prohibition shall not apply to the existing Catholic cemetery and to the existing Anglican cemetery and the adjacent old Anglican church.

There is subtracted from this area of land hereinabove described a corridor of two hundred and forty feet (240 ft. or 73.15 m) in width for a power transmission line starting from Block La Chesnay (proposed) to the eastern limits of said area of land, and a right of way of one hundred and fifty feet (150 ft. or 45.72 m) in width for the road leading to Fort George and LG 2, and a corridor of five hundred feet (500 ft. or 152.4 m) in width situated along both sides of the right of way of this road, as well as a right of way of one hundred and fifty feet (150 ft. or 45.72 m) for an access road to Block La Chesnay (proposed). The corridor for the power transmission line and the rights of way for the roads are Category III lands and the five hundred feet (500 ft. or 152.4 m) corridors situated along both sides of the right of way of the Fort George to LG 2 road are Category II lands.

The Category IA lands, including l’île du Gouverneur, but excluding the corridors and rights of way hereinabove described, cover an area of three hundred and twelve decimal five square miles (312.5 sq. mi. or 809.38 sq. km).

4.2 Special Category IB lands

A territory situated north of La Grande River, at the eastern limit of James Bay shown on the preliminary maps, which are not based upon technical surveys and which are attached as Schedule 1 to this annex, and comprising all the land delimited by the geometrical segments, topographical features and other boundaries as follows:

“Commencing at a point formed by the intersection of parallel of latitude 53° 53' 25" north with a line parallel to the line of the high-water mark of the eastern shore of James Bay and at a distance from the latter of two hundred feet (200 ft. or 60.96 m) toward the hinterland; from there in a direction south 32° 14' east for a distance of forty-five thousand feet (45,000 ft. or 13,716 m); in a direction south 57° 46' west for a distance of approximately five thousand feet (5,000 ft. or 1,524 m) until it meets with a line parallel to the line of the high-water mark of the north-east shore of La Grande River and at a distance from the latter of two hundred feet (200 ft. or 60.96 m) toward the hinterland; in a general direction north-west, west, north and east, the said line parallel to the line of the high-water mark of the north-east shore of La Grande River as well as the eastern

shore of James Bay and at a distance therefrom of two hundred feet (200 ft. or 60.96 m) toward the hinterland, until parallel of latitude 53° 53' 25" up to the point of commencement”.

The Special Category IB lands cover an area of twenty-four decimal five square miles (24.5 sq. mi. or 63.46 sq. km).

4.3 Category IB lands

Category IB lands cover an area of one hundred and eighty-five decimal ninety-five square miles (185.95 sq. mi. or 481.8 sq. km) from which is deducted an area of seventeen decimal four square miles (17.4 sq. mi. or 45.1 sq. km) which shall be Category I lands for the Inuit as described in sub-paragraph 4.3.2 hereof and the remaining Category IB lands are described in sub-paragraph 4.3.1 hereof as Category IB lands.

4.3.1 Category IB lands for the Crees

The lands situated south of La Grande River north of an unnamed river having its mouth in Dead Duck bay and bounded to the west by Category IA lands hereinabove described shown on the preliminary maps, which are not based upon technical surveys and which are attached as Schedule 1 to this annex, and comprising all the land delimited by the geometrical segments, topographical features and other boundaries, as follows:

“Commencing at a point formed by the intersection of meridian 78° 30' 46" west with a line parallel to elevation 108 and at a distance from the latter of two hundred feet (200 ft. or 60.96 m) toward the hinterland; from there by following in a general direction east this line parallel to elevation 108 and at a distance from the latter of two hundred feet (200 ft. or 60.96 m) toward the hinterland until meridian 78° 09' 14" west; in a direction due south for a distance of forty-six thousand eight hundred feet (46,800 ft. or 14,264.6 m) approximately until parallel of latitude 53° 36' 06" north; in a direction due west for a distance of twenty-two thousand and ten feet (22,010 ft. or 6,708.6 m) until approximately meridian 78° 15' 19" west, in a direction due south for a distance of twenty-two thousand and twenty-five feet (22,025 ft. or 6,713.2 m) approximately until parallel of latitude 53° 32' 30" north, in a direction due west for a distance of approximately thirty-two thousand eight hundred feet (32,800 ft. or 9,601.2 m) until the line of the high-water mark of the north shore of the unnamed river having its mouth in Dead Duck bay; from there by following in a general direction west the line of the high-water mark of the north shore of the said river until meridian 78° 30' 46" west; in a direction due north of a distance of approximately sixty-nine thousand feet (69,000 ft. or 21,336 m) until it meets with a line parallel to elevation 108 and at a distance from the latter of two hundred feet (200 ft. or 60.96 m) toward the hinterland, this point being the point of commencement”.

Of this block of lands hereinabove described, there must be subtracted a corridor of two hundred and forty feet (240 ft. or 73.15 m) in width for the passage of a power transmission line starting from Block La Chesnay (proposed) and a right of way of one hundred and fifty feet (150 ft. or 45.72 m) wide for the road leading to Fort George and LG 2, as well as a corridor of five hundred feet (500 ft. or 152.4 m) wide along each side of the right of way for this road. The right of way for the road and the corridor for the transmission lines are Category III lands and the corridors of five hundred feet (500 ft. or 152.4 m) along each side of the right of way for the road are Category II lands.

These Category IB lands excluding the corridors and rights of way hereinabove described cover an area of one hundred and sixty-eight and six tenths square miles (168.6 mi² or 436.7 km²).

4.3.2 Category I lands for the Inuit

A territory bounded to the north and to the west by Category IB lands for the Crees hereinabove described, shown on the preliminary maps, which are not based upon technical surveys and which are attached as Schedule 1 to this annex, and comprising all the land delimited by the geometrical segments, topographical features and other boundaries, as follows:

“Commencing at a point situated on meridian 78° 09' 14" west, forty-seven thousand feet (47,000 ft. or 14,325.6 m) south of La Grande River at elevation 108; from there in a direction south for a distance of twenty-two thousand and twenty-five feet (22,025 ft. or 6,713.2 m) approximately until parallel of latitude 53° 32' 30" north; in a direction west for a distance of twenty-two thousand and forty feet (22,040 ft. or 6,717.8 m), in a direction north for a distance of twenty-two thousand and twenty-five feet (22,025 ft. or 6,713.2 m), in a direction east for a distance of approximately twenty-two thousand and ten feet (22,010 ft. or 6,708.6 m) until the point of commencement”.

The small unnamed lake situated at the south-east corner of Category I lands for the Inuit, of which the geocentric coordinates are 53° 32' 35" north and 78° 09' 20" west, may be included in Category I lands for the Inuit if more than 50 % of its surface falls within Category I lands for the Inuit as a result of boundary adjustments for the purpose of surveys, and provided that the total area of Category I lands for the Inuit remains seventeen decimal four square miles (17.4 mi² or 45.1 km²).

4.4 Category II

A territory extending north and south of La Grande River and comprising all the land delimited by the geometrical segments, topographical features and other boundaries, as follows:

“Commencing at the point of intersection of latitude 53° 33' 40" north and of the low-water mark of James Bay southwest of Dead Duck Bay; in a direction due south 41° 30' east, a distance of seventy-four thousand feet (74 000 ft.); in a direction due south, a distance of eight thousand feet (8 000 ft.); in a direction due east, an approximate distance of one hundred and forty thousand feet (140 000 ft.) up to the intersection of meridian 78° 12' west; in a direction due north, a distance of one hundred and fifty-two thousand feet (152 000 ft.); in a direction due east, a distance of forty-three thousand feet (43 000 ft.); in a direction due north, a distance of seventeen thousand feet (17 000 ft.); in a direction due east, an approximative distance of sixty-three thousand feet (63 000 ft.), namely, up to a point situated four miles (4 mi.) from the projected road; in a general direction north, a line parallel to the projected road and four miles (4 mi.) away from the latter towards the west, a distance of about twenty thousand feet (20 000 ft.); in a direction due east of approximately one hundred and sixty thousand feet (160 000 ft.); in a direction due north 45° 00' east, a distance of approximately one hundred thousand feet (100 000 ft.); in a direction due north, a distance of approximately one hundred and ninety thousand feet (190 000 ft.); in a direction due west, a distance of approximately two hundred and thirty-six thousand feet (236 000 ft.); in a direction due north, a distance of approximately ninety-one thousand feet (91 000 ft.); namely, up to latitude 54° 54' 10" north; in a direction due west, a distance of approximately two hundred thousand feet (200 000 ft.), namely, up to meridian 78° 42' west; in a direction due south 60° 30' west, a distance of approximately one hundred and sixty thousand feet (160 000 ft.); in a direction due south, approximately one hundred and six thousand feet (106 000 ft.), namely, to latitude 54° 24' 30" north; in a direction due west, a straight line up to the point of intersection of the low-water mark of James Bay (Roggan River); in a general direction southeast and south, the low-water line of James Bay to the extension to the west of the north limit of special Category IB lands described above; thereafter, following the north and east limits of special Category IB lands, and the north, east and south limits of Category I lands described above and the extension towards the low water mark of Dead Duck Bay; in a direction generally southwest and northwest, following the low water mark of Dead Duck Bay to point of commencement.

It is understood by the parties that an eight mile corridor (8 mi.) will be chosen within Category II lands to extend the Matagami – LG 2 Road in order to reach Poste-de-la-Baleine; this corridor shall become Category III and the area of these lands shall be replaced by an equal area and situated to the east of the Category II lands.

This Category II territory covers an area of six thousand three hundred and five square miles (6 305 sq. mi.).

It is understood that the north boundary of Category II lands could be modified by common agreement to follow the shore south of the Vauquelin River as well as the south shore of Roggan River.

Notwithstanding the above description, these Category II lands do not include the areas of lands shown on the preliminary maps which are attached as Schedule 1 to this annex and identified and described as follows, which lands are Category III lands:

i) Block La Chesnay (proposed) which is described as follows:

“Commencing at a point formed by the intersection of meridian 78° 36' 20" west and a line parallel to the line of the high-water mark of the south shore of La Grande River and at a distance from the latter of two hundred feet (200 ft or 60.96 m) toward the hinterland in a direction south 1° 50' west for a distance of one thousand nine hundred feet (1,900 ft or 579.1 m); in a direction south 40° 55' east for a distance of four thousand seven hundred and fifty feet (4,750 ft or 1,447.8 m); in a direction south 88° 10' east for a distance of nine thousand eight hundred feet (9,800 ft or 2,987 m); in a direction north 1° 50' east for a distance of approximately three thousand feet (3,000 ft or 914.4 m) until it meets a line parallel to elevation 108 and at a distance from the latter of two hundred feet (200 ft. or 60.96 m) toward the hinterland, this point of intersection is hereinafter called “Point A”.”

From the point of commencement hereinabove described, that is a point formed by the intersection of meridian 78° 36' 20" west and a line parallel to the line of the high-water mark of the south shore of La Grande River and at a distance from the latter of two hundred feet (200 ft or 60.96 m) in a direction north 1° 50' east for a distance of nine thousand three hundred feet (9,300 ft or 2,834.6 m); in a direction south 88° 10' east for a distance of fifteen thousand two hundred feet (15,200 ft or 4,633. m); in a direction south 1° 50' west for a distance of approximately twelve thousand feet (12,000 ft. or 3,657.6 m) until it meets with a line parallel to elevation 108 at a distance from the latter of two hundred feet (200 ft or 60.96 m) toward the hinterland on the south shore, in a general direction west, following the said line parallel to elevation 108 at a distance from the latter of two hundred feet (200 ft or 60.96 m) toward the hinterland for a distance of approximately two thousand feet (2,000 ft or 609.6 m) until Point A hereinabove described”;

ii) an area of lands located between the north shore of La Grande River and elevation 108, such lands being limited to the east by the eastern limit of Category II lands and to the west by Block La Chesnay (proposed);

iii) an area of lands located between the south shore of La Grande River and elevation 108, such lands being limited to the east by the eastern limit of Category II lands or Category IB lands, whichever is further east, and to the west by Block La Chesnay (proposed).

The parties specially agree that the portion of La Grande River that is east of Block La Chesnay (proposed) forms part of Category III lands and the portion of La Grande River that is west of Block La Chesnay (proposed) and the islands therein west of the said Block form part of Category II lands.

Category II lands are shown on a preliminary map which is attached as Schedule 2 to this annex.

5. Mistassini

5.1 Category I

A territory situated to the south and east of Lake Mistassini and comprising all the land delimited by the geometrical segments, topographical features and other boundaries, as follows:

5.1.1 Part One

This territory includes part of the O’Sullivan, Plamondon, La Vallière and Duquet Townships.

“Commencing at the point of intersection of a line situated two hundred feet (200 ft.) south of the high-water mark of the baie du Poste and of a line parallel to the east exterior line of O’Sullivan Township and fifteen

thousand feet (15 000 ft.) away from the latter towards the west; in a direction due south, a distance of fifteen thousand five hundred feet (15 500 ft.); in a direction due west, a distance of twenty-five thousand eight hundred feet (25 800 ft.); in a direction north 73° 30' west, a distance of fifty-nine thousand five hundred feet (59 500 ft.); in a direction due north, a straight line of approximately seven thousand feet (7 000 ft.), namely, up to the point of intersection of a line situated two hundred feet (200 ft.) from the high-water mark of the southeast shore of the Pénicouane Bay; in a general direction due northeast, the said line parallel to the high-water mark and two hundred feet (200 ft.) away from the latter towards the hinterland, along the Pénicouane Bay and the Mistassini Lake up to an approximate latitude of 50° 41' north; in a general direction south, a line parallel to the high-water mark of the west shore of Abatagouche Bay and of the baie du Poste and two hundred feet (200 ft.) away from the latter towards the hinterland, up to the point of commencement.”

5.1.2 *Part Two*

This territory comprises part of the Duquet Township and some non-organized territory.

“Commencing at the point of intersection of the east exterior line of the Duquet Township with a line situated towards the hinterland, two hundred feet (200 ft.) away from the high-water mark of the north shore of the baie du Poste, approximately five thousand feet (5 000 ft.) away from the prolongation towards the east of the south exterior line of the Duquet Township; in a general direction north and northwest, a line up to a point one mile (1 mi.) southeast of the center of the village of Mistassini; southwest, a distance of two hundred feet (200 ft.) to the high water mark of baie du Poste; the said high water mark of baie du Poste and its continuation northwards to a point one mile (1 mi.) north of the village of Mistassini; southeast, a distance of two hundred feet (200 ft.) to the point of intersection with a line parallel to and distant inland two hundred feet (200 ft.) from the high water mark of baie du Poste and of Abatagouche Bay; in a general direction northeast, the said line to latitude 50° 28' north approximately; in a general direction south and southeast, a line parallel to the high-water mark of Abatagouche Bay and of its prolongation towards the south, and two hundred feet (200 ft.) away from the latter towards the hinterland, up to the point of intersection of the east exterior line of the Duquet Township; in a direction south, the said east exterior line of the Duquet Township up to the point of commencement.”

5.1.3 *Part Three*

This territory includes part of the Townships of McOuat, de Guyon, de Péré, de Dorval, de Saint-Simon and some non-organized territory.

“Commencing on the south exterior line of the McOuat Township at the point situated seven thousand three hundred feet (7 300 ft.) east of the west exterior line of the McOuat Township; in a direction due north 27° 00' east, a distance of twenty-four thousand feet (24 000 ft.); in a direction due north 65° 00' east, a straight line of approximately sixteen thousand feet (16 000 ft.), namely, up to the point of intersection of the Chibougamau – Lake Albanel Road and five hundred feet (500 ft.) away from the latter towards the west; in a general direction northeast, the said line parallel to the Chibougamau – Lake Albanel Road and five hundred feet (500 ft.) away from the latter towards the west, a distance of approximately one hundred and twelve thousand feet (112 000 ft.), namely up to latitude 50° 41' 30"; in a direction north 67° 00' west, a distance of approximately thirty-five thousand feet (35 000 ft.), namely, up to the intersection of a line parallel to the high-water mark of Lake Albanel and two hundred feet (200 ft.) away from the latter towards the hinterland; in a general direction southwest and northeast, following a bay of Lake Albanel, following a line parallel to the high-water mark of Lake Albanel and two hundred feet (200 ft.) away from the latter towards the hinterland, up to the intersection of the prolongation towards the northwest of the line mentioned immediately before; in the same direction north 67° 00' west, a distance of approximately three thousand feet (3 000 ft.), namely, up to the intersection of a line parallel to the high-water mark of Lake Albanel and two hundred feet (200 ft.) away from the latter towards the hinterland; in a general direction southwest and northeast, following a bay of Lake Albanel, a line parallel to the high-water mark of Lake Albanel and two hundred feet (200 ft.) away from the

latter towards the hinterland, up to the intersection of the prolongation towards the northwest of the line mentioned immediately before; in the same direction due north $67^{\circ} 00'$ west, a distance of approximately nineteen thousand feet (19 000 ft.), namely, up to the point of intersection of a line parallel to the high-water mark of Lake Mistassini and two hundred feet (200 ft.) away from the latter towards the hinterland; in a general direction southwest and north, winding round a bay of Lake Mistassini, following a line parallel to the high-water mark of Lake Mistassini and two hundred feet (200 ft.) away from the latter towards the hinterland, up to the point of intersection of the prolongation towards the northwest of the line mentioned immediately before; in the same direction due north $67^{\circ} 00'$ west, by crossing the Georges-Côté Peninsula, up to the point of intersection of a line parallel to a high-water mark of Lake Mistassini and two hundred feet (200 ft.) away from the latter towards the hinterland; in a general direction southwest and south, a line parallel to the high-water mark of Lake Mistassini and two hundred feet (200 ft.) away from the latter towards the hinterland, up to the point of intersection of the south exterior line of the McOuat Township; towards the east, following the said south exterior line of the McOuat Township, a distance of approximately five hundred feet (500 ft.), namely, up to the point of intersection of a line parallel to the high-water mark of Lake Mistassini and two hundred feet (200 ft.) away from the latter towards the hinterland; in a general direction northeast and south, following a bay at the mouth of the Chalifour River, a line parallel to the high-water mark of the said bay and two hundred feet (200 ft.) away from the latter towards the hinterland, up to the point of intersection of the south exterior line of the McOuat Township; in a direction east, following the south exterior line of the McOuat Township, up to the point of commencement.”

These Category I lands cover an area of five hundred and thirty-three square miles (533 sq. mi.), including fifteen square miles (15 sq. mi.) for the non-status Crees.

5.2 Category IB

5.2.1 Part One

“Commencing at the point of intersection of a line situated two hundred feet (200 ft.) south of the high-water mark of the baie du Poste and of a line parallel to the east exterior line of O'Sullivan Township and fifteen thousand feet (15 000 ft.) towards the west; in a direction due south, a distance of fifteen thousand feet (15 000 ft.); in a direction due west, a distance of twenty-five thousand eight hundred feet (25 800 ft.); in a direction north $73^{\circ} 30'$ west, a distance of fifty-nine thousand five hundred feet (59 500 ft.); in a direction due north, a straight line of approximately seven thousand feet (7 000 ft.), namely, up to the point of intersection of a line situated two hundred feet (200 ft.) from the high-water mark of the southeast shore of Pénicouane Bay; in a general direction northeast, the said line parallel to the high-water mark of two hundred feet (200 ft.) away from the latter towards the hinterland, along Pénicouane Bay and Lake Mistassini up to an approximate latitude of $50^{\circ} 29'$ north, in a general direction southeast, up to the intersection of Pipounichouane River; in a direction due east, an approximate distance of eight thousand five hundred feet (8 500 ft.), up to a line parallel to the baie du Poste and two hundred feet (200 ft.) away towards the hinterland; in a general direction south along the said line parallel to the shore, up to the point of commencement.”

5.2.2 Part Two

A point situated at the intersection of a line situated five hundred feet (500 ft.) west of the Chibougamau – Lake Albanel Road and parallel to the latter with the parallel of latitude $50^{\circ} 41' 30''$ north; in a direction north $67^{\circ} 00'$ west, a distance of approximately thirty-five thousand feet (35 000 ft.), namely, up to the intersection of a line parallel to the high-water mark of Lake Albanel and two hundred feet (200 ft.) towards the hinterland; in a general direction southwest, an approximate distance of thirteen thousand feet (13 000 ft.); in a direction south $67^{\circ} 00'$ east, an approximate distance of thirty-five thousand feet (35 000 ft.), up to the intersection of the line parallel to the Chibougamau – Lake Albanel Road and five hundred feet (500 ft.) from the latter; along this line towards the northeast up to the point of commencement. ”

These Category IB lands cover an area of two hundred and three decimal fourteen square miles (203.14 sq. mi.).

5.3 Category II

A territory situated west, north and east of Lake Mistassini and comprising all the land delimited by the geometrical segments, topographical features and other limits, as follows:

5.3.1 *Part One*

“Commencing at a point of latitude 50° 16' 30" north situated on the high-water mark of the west shore of the Pénicouane Bay; in a direction due north 10° 00' west, a distance of eighty-five thousand feet (85 000 ft.); in a direction due east, a distance of thirteen thousand feet (13 000 ft.); in a direction due north, a distance of one hundred and twenty-one thousand feet (121 000 ft.); in a direction due east, a distance of thirty thousand feet (30 000 ft.); in a direction due north, a distance of one hundred and twenty thousand feet (120 000 ft.); in a direction due west, a distance of eighty-three thousand feet (83 000 ft.); in a direction due north, a distance of one hundred and seventy-four thousand feet (174 000 ft.); in a direction due east, a distance of seventy-nine thousand feet (79 000 ft.); in a direction due north, a distance of approximately one hundred and ten thousand feet (110 000 ft.), namely, up to the point of intersection of the high-water mark of the south shore of the Eastmain River on the north side of Le Veneur Island; in a general direction east, following the south shore of the Eastmain River up to meridian 73° 00' west; in a direction due north 78° 00' east, a distance of one hundred and eight thousand feet (108 000 ft.); in a direction due south 32° 00' east, a distance of seventeen thousand feet (17 000 ft.); in a direction due south 55° 00' west, a distance of sixty-three thousand feet (63 000 ft.); in a direction due south, a distance of twenty-six thousand feet (26 000 ft.); in a direction due south 73° 00' east, a distance of fifty-eight thousand feet (58 000 ft.); in a direction due south 21° 00' east, a distance of one hundred and fourteen thousand feet (114 000 ft.); in a direction due south, a distance of fifty-nine thousand feet (59 000 ft.); in a direction due east, a distance of sixty-four thousand feet (64 000 ft.); in a direction due south, a distance of approximately one hundred and nineteen thousand feet (119 000 ft.), to the point of intersection with the height of land between Lake Saint-Jean and Lake Mistassini draining basins; in a general direction southwest, the said height of land up to meridian 72° 29' 20" west; in a direction due north, a distance of ninety-two thousand feet (92 000 ft.); in a direction due west, a distance of twenty-nine thousand feet (29 000 ft.); in a direction due north, a distance of approximately eighty thousand feet (80 000 ft.), namely, up to the intersection of the high-water mark of the south shore of Lake Albanel, at its eastern extremity; in a general direction west and southwest, the said high-water mark of the northwest shore of Lake Albanel, up to the point of intersection of a line parallel to the outlet river of Lake Albanel and one half mile (1/2 mi.) away from the latter towards the northeast; in a general direction northwest, a line parallel to the outlet river of Lake Albanel and one half mile (1/2 mi.) away from the latter towards the northeast, up to the point of intersection of the high-water mark of Lake Mistassini; in a general direction northeast, west and southwest, the high-water mark of Lake Mistassini up to the point of commencement. ”

5.3.2 *Part Two*

A territory situated southeast of Lake Albanel and comprising all the land delimited by the geometrical segments, topographical features and other boundaries, as follows:

“Commencing at a point of latitude 50° 41' 30" north, on a line parallel to the Chibougamau – Lake Albanel Road, five hundred feet (500 ft.) away from the latter towards the northwest; in a direction north 67° 00' west, a distance of approximately thirty-five thousand feet (35 000 ft.), namely, up to the intersection of the high-water mark of Lake Albanel; in a general direction northeast, the high-water mark of Lake Albanel up to the point of intersection of the east exterior line of Saint-Simon Township; in a direction due north 66° 45' east, a distance of approximately forty-two thousand feet (42 000 ft.), namely up to the point of intersection of a line parallel to the Chibougamau – Lake Albanel Road and five hundred feet (500 ft.) away from the latter towards the west; in a general direction south and southwest, the said line parallel to the Chibougamau – Lake

Albanel Road and five hundred feet (500 ft.) away from the latter towards the west, up to the point of commencement.”

5.3.3 Part Three

“Commencing at the northeast corner of the Category I lands situated between Lake Albanel and Lake Mistassini, namely, at the point of intersection of the parallel of latitude 50° 44' north approximately with a line situated two hundred feet (200 ft.) west of the high water mark of the northwest shore of Lake Albanel; in a direction south 67° 00' east, a distance of two hundred feet (200 ft.); in a general direction northeast, the high-water mark of Lake Albanel up to the point of intersection of a line parallel to the outlet river of Lake Albanel and one half mile (1/2 mi.) away from the latter towards the southwest; in a general direction northwest, the said line parallel to the outlet river of Lake Albanel and one half mile (1/2 mi.) away from the latter towards the southwest, up to the point of intersection of the high-water mark of Lake Mistassini; in a general direction southwest, the high-water mark of Lake Mistassini up to the northwest corner of the northeast limit of Category I land of Mistassini; in a direction south 67° 00' east, a distance of approximately six thousand feet (6 000 ft.), namely, up to the point of intersection of a line parallel to the high-water mark of the bay situated east of Georges-Côté Peninsula and two hundred feet (200 ft.) from the latter towards the hinterland; in a general direction southwest and northeast, the said line parallel to the high-water mark of the bay situated east of Georges-Côté Peninsula and two hundred feet (200 ft.) from the latter towards the hinterland, up to the intersection of the prolongation towards the southeast of the line immediately mentioned before; in the same direction south 67° 00' east, an approximate distance of nineteen thousand feet (19 000 ft.), namely, up to the point of commencement.”

5.3.4 Part Four

“Commencing at the point of latitude 50° 15' north, situated at the eastern limit of the right-of-way of the Chibougamau – Lake Albanel Road; in a general direction northeast, a distance of approximately two hundred thousand feet (200 000 ft.), namely, up to a point of latitude 50° 42' 20" north; in a direction due east to the height of land between Lake Saint-Jean and Lake Mistassini; in a general direction southwest, the said height of land line up to a point of latitude 50° 15' north; in a direction due west, a distance of approximately twenty-eight thousand feet (28 000 ft.), namely, up to the point of commencement. ”

5.3.5 Part Five

The baie du Poste, delimited at its northern extremity by latitude 50° 25' north.

5.3.6 Part Six

A portion of Abatagouche Bay, delimited at its northern extremity by latitude 50° 25' 30" north and, at its eastern extremity, by meridian 73° 46' 30" west.

5.3.7 Part Seven

The islands situated in Lake Mistassini south of latitude 51° 00' north and those islands of which the greatest part is situated south of this parallel of latitude.

5.4 Generalities

These Category II lands cover an area of six thousand eight hundred and ninety-six square miles (6 896 sq. mi.).

The selection of Category II lands east of the road Chibougamau – Lake Albanel is subject to the following conditions:

1) A corridor required for the installation of power-lines for the Ferchibal Project and measuring three hundred and fifty feet (350 ft.) will cross Category II lands outlined above.

2) A corridor to allow for railroad right-of-way for the Ferchibal Project and measuring two hundred feet (200 ft.) will cross Category II lands outlined above.

3) A corridor to allow for the transportation of mineral ore via a pipeline and measuring two hundred feet (200 ft.) will cross Category II lands outlined above.

This power line, railroad, and pipeline may be built on Category II lands in the same manner as if similar works were to be conducted on Category III lands.

Furthermore, no compensation or indemnity, as provided for in Section 5 of this Agreement, may be claimed by the Mistassini Band in respect to these works.

The corridor of five hundred feet (500 ft.) between the eastern limit of Category I lands and the Chibougamau – Lake Albanel road will be Category II.

6. Waswanipi

6.1 Category I

6.1.1 *Part One*

A territory situated partly in the Gand and Kreighoff Townships and comprising all the land delimited by the geometrical segments, topographical features and other boundaries, as follows:

“Commencing at a point situated at the northeast extremity of the bridge which spans the Waswanipi River, at the southeast limit of the right-of-way of the Senneterre – Chibougamau Road; in a general direction northeast, the eastern limit of the right-of-way of the Senneterre – Chibougamau Road, a distance of one mile (1mi.); in a direction south 45° 00' east, a distance of five hundred feet (500 ft.); in a general direction northeast, following a line parallel to the Senneterre – Chibougamau Road and five hundred feet (500 ft.) away from the latter towards the southeast, a distance of thirty-one thousand feet (31 000 ft.); in a direction due south 45° 00' east, a distance of approximately thirteen thousand feet (13 000 ft.), namely, up to the intersection of a line parallel to elevation 930 or to the high-water mark of the north shore of the Chibougamau River and two hundred feet (200 ft.) away from the latter towards the hinterland; in a general direction south, southwest, the said line parallel to elevation 930 or to the high-water mark of the north shore of the Chibougamau River and two hundred feet (200 ft.) away from the latter towards the hinterland, up to the intersection point of the central line of the Gand Township; in a direction due south 20° 00' west, a distance of approximately eight thousand feet (8 000 ft.), namely, up to the intersection of a line parallel to elevation 930 or to the high-water mark of the north shore of the Opawica River and two hundred feet (200 ft.) away from the latter towards the hinterland, up to its intersection with the south shore of the Chibougamau River and, thence, up to the point of commencement.”

The river-bed of that part of the Chibougamau River which is comprised within the perimeter described above, and the firm land up to a line parallel to elevation 930 or to the high-water mark of each shore and two hundred feet (200 ft.) away from the latter towards the hinterland, is part of Category II lands.

6.1.2 *Part Two*

A territory made up of part of the Ailly, Bellin, La Rouvillière, Boyvinet, Montalembert, Gand, Kreighoff, Branssat, Daine and La Ribourde Townships and comprising all the land delimited by the geometrical segments, topographical features and other boundaries, as follows:

“Commencing at a point situated in the southwest corner of the La Rouvillière Township; in a direction north, following the west exterior line of the La Rouvillière Township, a distance of thirteen thousand feet (13 000 ft.); in a direction due east, a distance of approximately one hundred and five thousand feet (105 000 ft.), namely, up to the point of intersection of the west exterior line of the Kreighoff Township; in a direction north, the west exterior line of the Kreighoff and Branssat Townships a distance of forty-eight thousand feet (48 000 ft.);

in a direction due east, a distance of approximately fifty-two thousand feet (52 000 ft.), namely, up to the point of intersection of the east exterior line of the Branssat Township; in a direction south, the east exterior line of the Branssat and Kreighoff Townships up to the point of intersection of a line parallel to the Senneterre – Chibougamau Road and five hundred feet (500 ft.) away from the latter towards the north; in a general direction southwest, the said line parallel to the Senneterre – Chibougamau Road and five hundred feet (500 ft.) away from the latter towards the north up to the point of intersection of a line parallel to elevation 930 of the south shore of the Waswanipi River and two hundred feet (200 ft.) away from the latter, plus one mile (1 mi.), namely, five thousand four hundred and eighty feet (5 480 ft.); in a direction due north 75° 00' west, a distance of seventeen thousand five hundred feet (17 500 ft.); in a direction due west, a distance of approximately seventy-eight thousand feet (78 000 ft.), namely, up to meridian 76° 22' 30" west; in a direction due south 29° 00' west, a distance of approximately thirty-two thousand feet (32 000 ft.), namely, up to the intersection of a line parallel to the high-water mark of the north shore of Lake Waswanipi and two hundred feet (200 ft.) away from the latter towards the hinterland; in a general direction northwest, the said parallel to the high-water mark of Lake Waswanipi up to its junction with the line parallel to the high-water mark of Lake Waswanipi and of the left shore (east) of the east arm of the Waswanipi River and two hundred feet (200 ft.) away from the latter towards the hinterland, up to meridian 76° 27' 30" west; in a direction north 32° 30' west, a distance of approximately three thousand two hundred feet (3 200 ft.) namely, up to a line parallel to the high-water mark of the right shore (east) of the west arm of the Waswanipi River and two hundred feet (200 ft.) away from the latter towards the hinterland; in a general direction west and north, the said line parallel to the high-water mark of the right shore (east) of the west arm of the Waswanipi River up to a point of intersection of a line situated six thousand five hundred feet (6 500 ft.) to the south of the north exterior line of the Ailly Township; in a direction due east, the said line situated six thousand five hundred feet (6 500 ft.) south of the north exterior line of the Ailly Township, up to the east exterior boundary of the Ailly Township; in a direction due north, the said line of the east exterior boundary of the Ailly Township up to the point of commencement. ”

Note: The entire area of the perimeter described precedingly, situated below elevation 930, is part of Category II lands. However, within that portion of Category II lands, only those activities which precede development and the development activities as such are allowed, and only if they are in relation with the NBR Project. Furthermore, if the SEBJ and/or Hydro-Québec decide not to proceed with the realization of the NBR Project, it shall be possible to consider this land as part of Category I lands providing that a parcel of land of an equal area from Category I land be withdrawn from the lands described in paragraphs 6.1.1 and 6.1.2. If the SEBJ and/or Hydro-Québec decide upon a lower elevation than elevation 930, the land comprised between this elevation and elevation 930, shall become part of Category I lands providing that a parcel of land of an equal area from Category I land be withdrawn from the lands described in paragraphs 6.1.1 and 6.1.2.

These lands of Category I cover an area of two hundred and thirty-one square miles (231 sq. mi.), including an area of ten square miles (10 sq. mi.) for the non-status Crees.

6.2 Categorie IB

Category IB lands cover an area of ninety decimal one square miles (90.1 sq. mi.) and are situated in the north and northwest portion of Category I lands described above; the south and east boundaries of the territory are defined by the elevation 930 north of the Waswanipi River up to the point of intersection with meridian 75° 57' west; thence, in a direction due north, a distance of approximately five thousand feet (5 000 ft.); in a direction due east, a distance of approximately six thousand feet (6 000 ft.), up to the intersection with meridian 75° 55' 30" west approximately; in a direction due north, a distance of approximately sixty thousand feet (60 000 ft.); the north and west boundaries are the boundaries outlined in the territorial description of Category I lands mentioned above.

6.3 Category II

6.3.1 Part One

A territory made up of part of the Kreighoff, La Ribourde, La Roncière and Gand Townships and comprising all the land delimited by the geometrical segments, topographical features and other boundaries, as follows:

“Commencing at a point situated five hundred feet (500 ft.) to the south of the Senneterre – Chibougamau Road and five thousand feet (5 000 ft.) east of the east exterior line of the Kreighoff Township; in a direction due south, a distance of fifty-nine thousand feet (59 000 ft.); in a direction south 84° 30' west, a distance of approximately fifty-eight thousand feet (58 000 ft.); namely, up to the point of intersection of a line parallel to the Senneterre – Chibougamau Road and five hundred feet (500 ft.) away from the latter towards the east; in a general direction north, the said line parallel to the Senneterre – Chibougamau Road and five hundred feet (500 ft.) away from the latter towards the east up to the point of intersection of a line parallel to elevation 930 of the south shore of the Waswanipi River and two hundred feet (200 ft.) away from the latter towards the hinterland; in a direction due east, a line approximately two thousand feet (2 000 ft.), namely, up to the intersection of a line parallel to elevation 930 or to the high-water mark of the right shore (east) of the Opawica River and two hundred feet (200 ft.) away from the latter towards the hinterland; in a general direction south and southeast, the said line parallel to elevation 930 or to the high-water mark of the right shore (east) of the Opawica River and two hundred feet (200 ft.) away from the latter towards the hinterland, up to the point of intersection of the central line of the Gand Township; in a direction due north 20° 00' east, a distance of approximately eight thousand feet (8 000 ft.), namely, up to the intersection of a line parallel to elevation 930 or to the high-water mark of the north shore of the Chibougamau River and two hundred feet (200 ft.) away from the latter towards the hinterland; in a general direction northeast, the said line parallel to elevation 930 or to the high-water mark of the north shore of the Chibougamau River and two hundred feet (200 ft.) away from the latter towards the hinterland, approximately up to latitude 49° 44' north; in a direction due north 45° 00' west, a distance of approximately thirteen thousand feet (13 000 ft.), namely, up to the intersection of a line parallel to the Senneterre – Chibougamau Road and five hundred feet (500 ft.) away from the latter towards the southeast; in a general direction northeast, the said line parallel to the Senneterre – Chibougamau Road and five hundred feet (500 ft.) away from the latter towards the southeast, up to the point of commencement.”

6.3.2 *Part Two*

A territory comprising all the land delimited by the geometrical segments, topographical features and other boundaries, as follows:

“Commencing at the point of intersection of a line parallel to elevation 930 on the south shore of the Waswanipi River and two hundred feet (200 ft.) away from the latter, plus one mile (1 mi.), namely, five thousand four hundred and eighty feet (5 480 ft.) away from the latter towards the south and of a line parallel to the Senneterre – Chibougamau Road and five hundred feet (500 ft.) away from the latter towards the west; in a direction due north 75° 00' west, a distance of seventeen thousand five hundred feet (17 500 ft.) in a direction due west, a distance of approximately seventy-eight thousand feet (78 000 ft.), namely, up to meridian 76° 22' 30" west; in a direction due south 29° 00' west, a distance of approximately thirty-two thousand feet (32 000 ft.), namely, up to the intersection of a line parallel to the high-water mark of the north shore of Lake Waswanipi and two hundred feet (200 ft.) away from the latter towards the hinterland; in a general direction northwest, the said line parallel to the high-water mark of Lake Waswanipi up to its junction with a line parallel to the high-water mark of Lake Waswanipi and of the left shore (east) of the east arm of the Waswanipi River and two hundred feet (200 ft.) away from the latter towards the hinterland, up to meridian 76° 27' 30" west; in a direction north 32° 30' west, a distance of approximately three thousand two hundred feet (3 200 ft.), namely, up to a line parallel to the high-water mark of the right shore (east) of the west arm of the Waswanipi River and two hundred feet (200 ft.) away from the latter towards the hinterland; in a general direction west and north, the said line parallel to the high-water mark of the right shore (east) of the west arm of the Waswanipi River up to a point of intersection of a line situated six thousand five hundred feet (6 500 ft.) to the south of the north exterior line of the Ailly Township; in a direction due east, the said line situated six thousand five hundred

feet (6 500 ft.) to the south of the north exterior line of the Ailly Township, up to the east exterior boundary of the Ailly township; in a direction due north, the said line of the east exterior boundary of the Ailly Township up to the southwest corner of the La Rouvillière Township; in a direction north, following the west exterior line of the La Rouvillière Township, a distance of ten thousand five hundred feet (10 500 ft.); in a direction due east, a distance of approximately one hundred and five thousand feet (105 000 ft.), namely, up to the point of intersection of the west exterior line of the Kreighoff Township; in a direction north, the west exterior line of the Kreighoff and Branssat Townships a distance of forty-eight thousand feet (48 000 ft.); in a direction due east, a distance of approximately fifty-two thousand feet (52 000 ft.), namely, up to the point of intersection of the east exterior line of the Branssat Township; in a direction due north, a distance of two hundred and fifty-two thousand feet (252 000 ft.); in a direction north $63^{\circ} 00'$ west, a distance of approximately one hundred thousand feet (100 000 ft.), namely, to the point of intersection of a line parallel to the south shore of the Broadback River; in a general direction west and southwest, the south shore of the Broadback River and of Lake Quénonisca up to its southwest extremity, namely, a latitude $50^{\circ} 21'$ north; in a direction due south, a distance of approximately forty thousand feet (40 000 ft.), namely, up to the point of intersection of the high-water mark of the west shore of Lake Poncheville (Lady Beatrix); in a general direction southwest, northeast and east, the said high-water mark of Lake Poncheville (Lady Beatrix) up to the intersection of the east exterior line of the Descombes Township; in a direction south $70^{\circ} 00'$ east, a straight line up to the point of intersection of the high-water mark of the west shore of Lake Chensagi; in a general direction south, the high-water mark of the west shore of Lake and River Chensagi and of Lake Maicasagi up to a point of latitude $49^{\circ} 55' 30''$ north; in a direction due south, a straight line up to the point of intersection of the high-water mark of the east shore of Lac-au-Goéland; in a general direction south and east, the high-water mark of the east shore of Lac-au-Goéland and of the north shore of Waswanipi River up to a point situated twenty-five thousand feet (25 000 ft.) east of the west exterior line of the Ailly Township; in a direction due south, a straight line up to the point of intersection of the south exterior line of the Ailly Township; in a direction east, the south exterior line of the Ailly Township up to the high-water mark of the west shore of the North-West Bay of Waswanipi Lake; in a general direction southeast, northeast and southeast, the high-water mark of the south shore of the North-West Bay of Waswanipi Lake, up to the point of intersection of the south exterior line of the Bellin Township; in a direction due east, the south exterior line of the Bellin and Boyvinet Townships up to the point of intersection of a line parallel to the Senneterre – Chibougamau Road and five hundred feet (500 ft.) away from the latter towards the west; in a general direction northeast, a line parallel to the Senneterre – Chibougamau Road and five hundred feet (500 ft.) away from the latter towards the west, up to the point of commencement. ”

On the island where the former Waswanipi Post was located, only these activities which precede development and the development activities as such shall be allowed, and only if they are in relation to the NBR Projects.

These Category II lands cover an area of two thousand nine hundred and forty-nine square miles (2 949 sq. mi.).

7. Nemiscau

7.1 Category I

A territory situated west of Lake Champion and comprising all the land delimited by the geometrical segments, topographical features and other boundaries, as follows:

“Commencing at the point of intersection of a line parallel to the high-water mark of the west shore of Lake Champion and two hundred feet (200 ft.) away from the latter towards the west and with a line parallel to the Némiscau Road and five hundred feet (500 ft.) away from the latter towards the north; in a general direction west, a line parallel to the Némiscau Road and five hundred feet (500 ft.) away from the latter towards the north, a distance of twenty-four thousand feet (24 000 ft.); in a direction due north, a straight line up to the point of intersection of a line parallel to the high-water mark of the east shore of a lake and two hundred feet (200 ft.) away from the latter towards the hinterland, the geocentrical coordinates of the said lake being

approximately 51° 39' north and 76° 28' west; in a general direction north, west and northeast, the said line parallel to the high-water mark of the east shore of the lake mentioned immediately before and two hundred feet (200 ft.) away from the latter towards the hinterland, up to its northeast extremity, a point of latitude 51° 40' 40" north; in a direction due north 38° 00' east, a distance of approximately ten thousand feet (10 000 ft.), namely, up to the point of intersection of a line parallel to the high-water mark of the south shore of a lake and two hundred feet (200 ft.) away from the latter towards the hinterland, the geocentric coordinates of which lake being approximately 51° 42' 40" north and 76° 24' 20" west; in a general direction northeast, a line parallel to the high-water mark of the east shore of the lake mentioned immediately before and two hundred feet (200 ft.) away from the latter towards the hinterland, up to a point of latitude 51° 43' north; in a direction due north 38° 00' east, a distance of eighteen thousand five hundred feet (18 500 ft.); in a direction due east, a distance of approximately twenty-two thousand feet (22 000 ft.), namely, up to the point of intersection of a line parallel to the high-water mark of the west shore of Lake Champion and two hundred feet (200 ft.) away from the latter towards the hinterland; in a general direction south, a line parallel to the high-water mark of the west shore of Lake Champion and two hundred feet (200 ft.) away from the latter towards the hinterland, up to the point of commencement.”

This territory of Category I covers an area of fifty-nine square miles (59 sq. mi.).

7.2 Category IB

Category IB lands cover an area of twenty-one decimal four square miles (21.4 sq. mi.) and are situated in the north part of Category I lands described above; the south boundary of this territory is a straight line close to parallel 50° 42' north so as to circumscribe the area mentioned above; the boundaries east, north and west are the boundaries outlined in the territorial description of Category I lands mentioned above.

7.3 Category II

A territory comprising all the land delimited by the geometrical segments, topographical features and other boundaries, as follows:

“Commencing at a point situated twenty-four thousand two hundred feet (24 200 ft.) west of the high-water mark of the west shore of Lake Champion on a line parallel to the high-water mark of the east shore of a lake and two hundred feet (200 ft.) away from the latter towards the east, the geocentric coordinates of the said lake being approximately 51° 39' north and 76° 28' west; in a general direction north, west and northeast, the said line parallel to the high-water mark of the east shore of the lake mentioned immediately above and two hundred feet (200 ft.) away from the latter towards the east up to its extremity northeast a point of latitude 51° 40' 40" north; in a direction due north 38° 00' east, a distance of approximately ten thousand feet (10 000 ft.), namely, up to the point of intersection of a line parallel to the high-water mark of the south shore of a lake two hundred feet (200 ft.) away from the latter towards the hinterland, the geocentric coordinates of the said lake being approximately 51° 42' 40" north and 76° 24' 20" west; in a general direction northeast, a line parallel to the high-water mark of the east shore of the lake mentioned immediately above and two hundred feet (200 ft.) away from the latter towards the hinterland, up to a point of latitude 51° 43' north; in a direction due north 38° 00' east, a distance of eighteen thousand five hundred feet (18 500 ft.); in a direction due east, a distance of approximately twenty-two thousand feet (22 000 ft.), namely, up to the point of intersection of a line parallel to the high-water mark of the west shore of Lake Champion and two hundred feet (200 ft.) away from the latter towards the hinterland; in a general direction south, a line parallel to the high-water mark of the west shore of Lake Champion and two hundred feet (200 ft.) away from the latter towards the west, up to a line parallel to the Némiscau Road and five hundred feet (500 ft.) away from the latter towards the north; in a general direction east, a line parallel to the Némiscau Road and five hundred feet (500 ft.) away from the latter towards the north, up to the point of intersection of the high-water mark of the east shore of Lake Champion; in a general direction north, the high-water mark of the east shore of Lake Champion up to the point of intersection of a line parallel to the Némiscau Road and one mile (1 mi.) away from the latter towards the

north; in a general direction northeast, a line parallel to the Némiscau Road and one mile (1 mi.) away from the latter towards the north, a distance of forty-seven thousand feet (47 000 ft.); in a direction due north, a distance of approximately fourteen thousand feet (14 000 ft.), up to latitude 51° 44' north; in a direction east, a distance of approximately fifty-eight thousand feet (58 000 ft.), namely, up to meridian 75° 50' 40" west; in a direction south, a distance of approximately twelve thousand feet (12 000 ft.); in a direction due east, a distance of ninety-seven thousand feet (97 000 ft.); in a direction due north, a distance of ninety-four thousand feet (94 000 ft.); in a direction due west, a distance of one hundred and seventy-one thousand feet (171 000 ft.); in a direction due south, a distance of forty-four thousand feet (44 000 ft.); in a direction due west, a distance of approximately twenty-one thousand feet (21 000 ft.), namely, up to the point of intersection of the high-water mark of the south shore of the Pontax River; in a general direction southwest, the high-water mark of the south shore of the Pontax River up to meridian 76° 33' 35" west; in a direction due south 58° 33' 35" west, a distance of sixty-three thousand feet (63 000 ft.); in a direction due south, a straight line of approximately sixteen thousand feet (16 000 ft.), namely, up to the intersection point of a line parallel to the Némiscau Road and one mile (1 mi.) away from the latter towards the north; in a general direction east, a line parallel to the Némiscau Road and one mile (1 mi.) away from the latter towards the north up to the point of intersection of the high-water mark of a lake the approximative geocentrical coordinates of which are 51° 38' north and 76° 28' west; in a general direction east, the high-water mark of the lake mentioned immediately above, up to the point of commencement.”

These Category II lands occupy an area of seven hundred eighty-four square miles (784 sq. mi.).

7.4

The selection of Categories I and II lands, in the Region of the Némiscau Post, is subject to the following conditions:

- 1) At least ninety (90) persons of the Némiscau Band, within a one (1) year delay after signing the final agreement, will have to formally pledge themselves to permanently settle on Category I lands, as described above.
- 2) Within a five (5) year delay from the date on which the final agreement is signed, it must be established that the permanent residence of not less than ninety (90) members of the Némiscau Band is effective on Category I lands, as described above.

Should one or another of these conditions not be adhered to, Categories I and II lands, set aside in the Némiscau Region, shall have to be redistributed in the Mistassini and Fort Rupert Regions proportionally to the number of members of the Némiscau Band living there.

7.5

Moreover, the selection of lands of Categories I and II is subject to the following restrictions:

- 1) Four (4) power-line corridors, each carrying seven hundred and thirty-five KV (735 KV), and each measuring five hundred and fifty feet (550 ft.), shall eventually cross Category II lands, as outlined above.
- 2) One (1) power-line corridor, carrying three hundred and thirty-five KV (335 KV), and measuring three hundred and fifty feet (350 ft.) shall eventually cross Category II lands, as outlined above.

It shall be possible to build these power-lines on Category II lands in the same manner as if similar works were being conducted on Category III lands.

Furthermore, no compensation or indemnity, as provided for in Section 5 of this Agreement, may be claimed by the Némiscau Band in respect to these works.

7.6

It shall be possible for the parties to replace the east portion of Category II lands, with an estimated area of approximately five hundred and fifty square miles (550 sq. mi.), south of the access road of the proposed sub-station around Lake Némiscau including Lake Némiscau.

It is understood that all the activities related to the preliminary works and the construction works as such, whether they are designed to develop or upkeep the NBR Complex in the portion of Category II lands described in the preceding paragraphs may be undertaken in this territory as if this territory was part of Category III.

8. Great Whale River

8.1 The community of Great Whale River

8.1.1 Approximately six square miles (6 sq. mi.) of land shall be allocated for the community of Great Whale River for “municipal” purposes in and near the present village of Great Whale River, in conformity with map identification number 12 (B) of Schedule 1 of Section 6 .

8.1.2 Within the said square miles (6 sq. mi.), the Crees shall select approximately two point zero square miles (2.0 sq. mi.) as Category IA lands, and the Inuit of Great Whale River shall select approximately three point two square miles (3.2 sq. mi.) as Category I. The remaining zero point eight square miles (0.8 sq. mi.) includes lands held in full ownership, streets and the airstrip and such lands shall remain Category III lands.

8.1.3 Such Category IA lands for the Crees and Category I lands for the Inuit shall be allocated in such a way as to take into account existing and future housing needs of both Cree and Inuit members of the community. In general, the Cree Category IA lands shall include areas of Cree housing and the portion of the above six square miles lying along the Great Whale River and inland; the Inuit Category I lands shall include areas of Inuit housing, taking into account Cree housing needs, and the coast.

8.1.4 The parties to the Agreement agree to negotiate, forthwith upon the execution of the Agreement, for the purpose of determining the appropriate administrative structure which would permit both the Crees and the Inuit of Great Whale River to participate jointly in a form of municipal administration for the village of Great Whale River.

Subject to the Agreement of all the parties hereto, the status of the land hereinabove allocated could be modified to permit the realization of the above structure in the form which best suits the circumstances.

8.2 Category I lands for Great Whale River

8.2.1 The Crees of Great Whale River shall select one hundred and twenty-one square miles (121 sq. mi.) of Category I lands, including seventy-six point five square miles (76.5 sq. mi.) of Category IA lands and forty-four point five square miles (44.5 sq. mi.) of Category IB lands (including Category IB special), the latter including one square mile (1 sq. mi.) for the non-status Crees of Great Whale River, the whole as shown on a map attached to the Agreement as Schedule 2 of Section 4. The said Category IB Special lands are shown on map identification number 12 (B) of Schedule 1 of Section 6 and are described in paragraph 8.2.4 of this Section.

8.2.2 The Inuit of Great Whale River shall select five point nine square miles (5.9 sq. mi.) as Category I lands in and near the village of Great Whale River, including the three point two square miles (3.2 sq. mi.) referred to in paragraph 8.1.2 above. The remaining two point seven square miles (2.7 sq. mi.) shall be selected along the coast north east of the external boundaries of the said area of three point two square miles (3.2 sq. mi.) to the northern limit of the Category I lands described below at paragraph 8.2.3, the whole as shown on said map identification number 12 (B).

8.2.3 *Category I lands – Preliminary territorial description*

The following Category I lands shall be set aside for the Crees of Great Whale River: an area of approximately one hundred and three point three square miles (103.3 sq. mi.) (including approximately zero point eight square

miles (0.8 sq. mi.) of Category III lands enclaved within Category I lands) comprising all the land delimited by the following geometrical segments, topographic features and other boundaries:

“Commencing at the point of intersection of a line two hundred feet (200 ft.) inland from the high-water mark of the coast of Hudson Bay and parallel to the said high-water mark with the parallel of latitude 55° 20' north; in a direction south 67° 00' east a distance of sixty-one thousand feet (61 000 ft.); in a direction south 59° 00' east a distance of fifty-six thousand feet (56 000 ft.); in a direction due south a distance of thirty-one thousand five hundred feet (31 500 ft.); in a direction due west a distance of approximately twenty thousand feet (20 000 ft.) to a point situated two hundred feet (200 ft.) from the high-water mark of the north bank of the Denys River; in a direction generally northwest a line parallel to and at a distance of two hundred feet (200 ft.) inland from the high-water mark of the north bank of the Denys River to its confluence with the Great Whale River; a line parallel to and distant inland two hundred feet (200 ft.) from the high-water mark of the north bank of the Great Whale River to a point situated one mile (1 mi.) east of the center of the village of Great Whale; due south a distance of two hundred feet (200 ft.) to the high-water mark of the north bank of the Great Whale River; in a direction generally west and northeast following the high-water mark of the Great Whale River and of the coast of Hudson Bay to a point one mile (1 mi.) northeast of the center of the village of Great Whale; in a southeasterly direction a distance of two hundred feet (200 ft.); in a direction generally northeast a line parallel to and at a distance inland of two hundred feet (200 ft.) from the high-water mark of the coast of Hudson Bay to the point of commencement.”

8.2.4 *Category IB special – Preliminary territorial description*

An area of approximately twenty four square miles (24 sq. mi.) situated south of the Great Whale River comprising all the land delimited by the following geometrical segments, topographic features and other boundaries:

“Commencing immediately to the west of Walton Point at the point of intersection with the meridian 77° 51' west of a line parallel to the high-water mark of the coast of Hudson Bay and distant inland from it two hundred feet (200 ft.); in a direction due south a distance of thirteen thousand feet (13 000 ft.); in a direction due east a distance of forty-one thousand feet (41 000 ft.); in a direction due north, a distance of approximately nineteen thousand feet (19 000 ft.) to a point situated two hundred feet (200 ft.) south of the high-water mark of the Great Whale River; in a direction generally west and southwest, a line parallel to and distant inland two hundred feet (200 ft.) from the high-water mark of the south bank of the Great Whale River and the coast of Hudson Bay to the point of commencement.”

8.3 Category II lands for the Crees of Great Whale River

8.3.1 *Category II lands – Preliminary territorial description*

The Crees of Great Whale River shall be allocated an area of approximately one thousand six hundred and sixty square miles (1 660 sq. mi.) of Category II lands. Such area is included within the land delimited by the following geometrical segments, topographic features and other boundaries, which description also includes an area of one hundred and forty square miles (140 sq. mi.) of Inuit Category II lands for the Inuit of Great Whale River:

“Commencing at the point of intersection of the parallel of latitude 55° 20' north with a line parallel to and distant inland two hundred feet (200 ft.) from the high-water mark of the coast of Hudson Bay; northwest, a straight line to the ordinary low water mark of the coast of Hudson Bay; in a direction generally northeast, a distance of approximately sixteen thousand feet (16 000 ft.) following the ordinary low water mark to the parallel of latitude 50° 22' 30" north; in a direction south 49° 00' east a distance of thirty three thousand feet (33 000 ft.); in a direction north 41° 00' east a distance of seventy six thousand five hundred feet (76 500 ft.); in a direction north 49° 00' west a distance of approximately twenty seven thousand feet (27 000 ft.) to the ordinary low water mark of Hudson Bay; in a direction generally northeast, a line following the ordinary low

water mark of the coast of Hudson Bay to the parallel of latitude 55° 49' 30" north; in a direction due east, a distance of fifty thousand feet (50 000 ft.); in a direction south 48° 00' east, a distance of one hundred and thirty eight thousand feet (138 000 ft.); in a direction due south a distance of one hundred and thirty eight thousand feet (138 000 ft.); in a direction due west, a distance of one hundred and thirty-nine thousand feet (139 000 ft.); in a direction due south a distance of forty-seven thousand feet (47 000 ft.); in a direction due west a distance of approximately two hundred and nineteen thousand feet (219 000 ft.) to meridian 78° 00' west; in a direction due north a distance of approximately forty-five thousand feet (45 000 ft.) to the ordinary low water mark of the coast of Hudson Bay; in a direction generally northeast a line following the ordinary low water mark of the coast of Hudson Bay to the point of intersection with the meridian 77° 51' west; in a direction due south to the point of intersection with a line parallel to the high-water mark of the coast of Hudson Bay and distance inland from it two hundred feet (200 ft.); thereafter, following the west, south, east and northeast limits of Category IB special and Category I lands, as described above at paragraphs 8.2.3 and 8.2.4, to the point of commencement.”

8.3.2 The above-mentioned land allocation of one thousand eight hundred square miles (1 800 sq. mi.) of land for Category II is based upon the system of land allocation adopted by the Inuit, which provides for one thousand square miles (1 000 sq. mi.) for each community north of the parallel 55° north and three point five square miles (3.5 sq. mi.) per person in each community.

8.3.3 It is understood that the Crees and Inuit of Great Whale River shall together participate in the selection and allocation among the communities north of the parallel 55° north of the approximately three thousand nine hundred square miles (3 900 sq. mi.) of Category II lands which remain to be allocated after the application of the Inuit system of land allocation. The procedure for such participation is set forth in Section 6 of this Agreement. If, following this procedure, additional Category II lands are allocated to the Crees of Great Whale River, the eastern and northeastern boundaries of the Category II lands described above may be displaced east a distance of approximately twenty five thousand feet (25 000 ft.), and the southernmost boundary may be displaced approximately twenty three thousand feet (23 000 ft.) to the parallel of latitude 55° north.

8.3.4 It is understood that one hundred and forty square miles (140 sq. mi.) of Inuit Category II lands are included in the above description and form part of an area of approximately two hundred and thirty square miles (230 sq. mi.) jointly selected and possibly to be jointly administered by the Crees and Inuit of Great Whale River, which lands shall generally be distributed along the coastal portion of the above description. The said 230 sq. mi. are shown on the said map identification number 12 (B).

8.3.5 The land within the forebay designated GB 1 (approximate elevation six hundred and twenty-five feet (625 ft.)), forms part of Category III lands and is excluded from the calculation of land areas for Category II lands.

8.3.6 The introductory provisions of Section 4 of this Agreement, which concern the interpretation of preliminary territorial descriptions, shall apply equally to the descriptions set forth above for Great Whale River.

8.3.7 The portion of the Great Whale River within the above description for Category I lands at paragraph 8.2.3, and a corridor of two hundred feet (200 ft.) on both sides of the river measured from the high-water mark will form part of Category II lands. The Great Whale River, where it is bounded to the north by Category I lands and to the south by Category IB special lands will form part of Category II lands.

8.4 Revision of preliminary territorial descriptions

The above preliminary territorial descriptions for Great Whale River shall be revised to conform to the land areas allocated as Category I and Category II lands for the Crees of Great Whale River. Furthermore, for both Category I and Category II lands, the above delimitations may be modified as necessary, with the mutual

consent of the Crees, the Inuit, Québec, and if appropriate, Canada, so as to take into account land selection by the Inuit of Great Whale River.

8.5 Category IB lands

An area of approximately twenty point five square miles (20.5 sq. mi.) including all the land within the Category I description at paragraph 8.2.3 lying between the south bank of the Great Whale River and the north bank of the Denys River; and the lands lying to the north of the Great Whale River and east of meridian 77° 15' west approximately.

8.6 Land regime

The land regime applicable to Category IA, IB and IB special lands (excluding Category I lands selected by the Inuit) and the Cree Category II lands shall be the land regime as set forth in Section 5 of this Agreement. The land regime for the Inuit Category I lands shall be the regime set forth in Section 7 of this Agreement.

8.7 Future development

It is recognized that all activities related to preliminary work, construction, operation and maintenance of the powerhouses and dams of the Great Whale Complex, including the appurtenant works, construction facilities, quarries and borrow pits, transmission lines and sub-stations, and to the possible port site approximately eight miles (8 mi.) southeast of Great Whale River may be carried out in Great Whale River Cree Category II lands as if such lands were part of Category III lands. Furthermore, it is understood that the above Category II lands shall be subject to servitudes, if required, for the construction of a railroad and road from the coast to the Great Whale Iron Ranges, for transmission lines from the Great Whale Complex, and for the road extension from LG 2 to the Great Whale Complex. However, the above-mentioned servitude for the road to the Great Whale Complex shall include provisions for an eight mile (8 mi.) corridor as in the case of Fort George Category II lands, and the lands within such corridor shall be replaced with an equivalent amount of Category II lands elsewhere. If such a road passes through Category I lands, there shall be a corridor of five hundred feet (500 ft.) on both sides of the road, which corridor shall form part of Category II lands. There shall be replacement of Category I lands within such corridor, in accordance with the land regime set forth at Section 5. It is also recognized that a transmission line corridor five hundred and fifty feet (550 ft.) wide may pass through Category I lands. The lands required for this corridor shall also be replaced in accordance with the regime set forth at Section 5.

Schedule 1 to annex 1

This Schedule comprises:

two (2) plans entitled: “Fort George, préparé par le service de l’Arpentage, Direction générale du Domaine territorial, Ministère des Terres et Forêts, dossier 56404/60A, feuillet ouest et feuillet est”.

Schedule 2 to annex 1

This Schedule comprises:

one (1) plan entitled: “Terres de la catégorie II de Fort George, révision 1, janvier 1978”.

JBNQA, Sch. 1

A. corr.

Compl. A. no. 3, ss. 3, 4, 5, 6 and Schedule

Annex 2

Poste-de-la-Baleine

See plan no. 1.1 Poste-de-la-Baleine (Complementary Documents)

JBNQA, Sch. 2
A. corr.