

**Forest & Range
Consultation and Revenue Sharing Agreement**

Confirmation and Amending Agreement #3

Between:

**Tk'emlúps te Secwépemc
As Represented by
Tk'wem7íple7s re Qelmúcw**

And

**Her Majesty the Queen in Right of the Province of British Columbia
as represented by the Minister of Indigenous Relations and Reconciliation
("BC")**

(Collectively the "Parties")

WHEREAS:

- A. The Parties entered into the Forest & Range Consultation and Revenue Sharing Agreement (the "**Agreement**") on September 9, 2016 and subsequent Confirmation and Amending Agreements, which are attached as **Schedule A**.
- B. The terms of the Confirmation and Amending Agreement #2 expired on March 31, 2021 and the Parties wish to confirm their intentions to continue to be bound by the terms of the Agreement as if it had not expired, and in accordance with the further amendments set out in this Confirmation and Amending Agreements.
- C. Pursuant to the Bridging and Funding Agreement dated for reference March 30, 2021 and Skú7pecen's Journey Letter of Commitment, the Parties henceforth affirm the commitments set out in their government-to-government ("**G2G**") relationship, as set out in these afore mentioned agreements, which includes BC working with Tk'emlúps te Secwépemc, through the Qwelmlnte Secwépemc, to seek approvals to proceed with negotiations of legally binding agreements commencing with the priority interest for a Collective Forestry Agreement ("**CFA**").

NOW THEREFORE THE PARTIES AGREE AS FOLLOWS:


- 1. This Confirmation and Amending Agreement #3 term ("**Term**") commences as of April 1, 2021.
- 2. The Parties agree to continue to be bound by the Agreement and the Confirmation and Amending Agreements, in accordance with this Confirmation and Amending Agreement #3, as if the Agreement had not expired, including no impacts to revenue sharing related to Bill 28 volumes, where applicable.
- 3. This Confirmation and Amending Agreement #3 Term will expire on September 30, 2022.
- 4. In all other respects the Agreement, as amended, remains the same.

5. The following schedules are attached to inform and support this Confirmation and Amending Agreement:

- (a) **Schedule A:** The Agreement and subsequent Confirmation and Amending Agreements;
- (b) **Schedule B:** CFA Pathway & Commitments;
- (c) **Schedule C:** 2021.03.11 *Txweymimentem* Senior Council Resolution - 0003;
- (d) **Schedule D:** Supporting Documents - List of Relevant and Informative Forestry Documents; and
- (e) **Schedule E:** QS-BC Short-Term Opportunities.

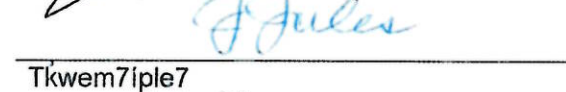
Signed on behalf of:

Tk'emlúps te Secwépemc


Kúlpí7 Rosanne Casimir

August 25/21
Date


Tk'em7íple7


Tk'em7íple7


Witness of Tk'emlúps te Secwépemc
signatures

Signed on behalf of:

Government of British Columbia


Minister of Indigenous Relations and
Reconciliation

October 22 2021
Date


Witness of Minister signature

Schedule A - The Agreement and Subsequent Confirmation and Amending Agreements.

The Agreement can be found [here](#).

Confirmation and Amending Agreement #1:

Forest and Range Consultation and Revenue Sharing Agreement Confirmation and Amending Agreement

Between:

Her Majesty the Queen in Right of the Province of British Columbia, as
represented by the Minister of Indigenous Relations and Reconciliation

And:

Tk'emlúps to Secwépemc

(Collectively referred to here as the "Parties")

WHEREAS:

- A. The Parties entered into the Forest and Range Consultation and Revenue Sharing Agreement ("Agreement") on September 9, 2016 which is attached as Appendix A;
- B. The Parties amended the Agreement on March 27, 2017 (Amendment #1) to align the Agreement with negotiations on a Reconciliation Framework Agreement;
- C. The Reconciliation Framework Agreement was transcended by the Qwelinté-Secwépemc Government to Government Letter of Commitment on March 14th, 2019;
- D. The terms of the Agreement and the subsequent Amendments expired on April 9, 2019.
- E. The Parties wish to confirm their intentions to be bound by the terms of the Agreement, as previously amended, as if it had not expired, and in accordance with the further amendments set out in this Confirmation and Amending Agreement.

NOW THEREFORE THE PARTIES AGREE AS FOLLOWS:

1. This Confirmation and Amending Agreement will take effect on the date that it is fully executed by the Parties.
2. The Parties agree to continue to be bound by the Agreement, in accordance with this Confirmation and Amending Agreement, as if the Agreement had not expired.
3. Section 14.0 is amended as follows:
14.1 This Agreement will end on August 1, 2020.
4. Appendix C is amended as follows:

1.3 The Traditional Territory Forest Revenue Sharing Component will be calculated by multiplying 5 percent of the forest revenue attributed to the Tk'emlúps te Secwepemc as described in section 1.2 of this Appendix. Revenue sharing percentages are reflective of the Letter of Commitment (LOC) participation or an equivalent Reconciliation (RA) type of agreement. In the event that no higher-level agreement or LOC is in effect, the Territory Forest Revenue Sharing Component will revert to 3%.

2.1 The Direct Award Forest Tenure Revenue Sharing Component will be calculated by multiplying 75 percent of the forest revenue as described in section 2.0 of this Appendix. Revenue sharing percentages are reflective of the LOC participation or an equivalent RA-type of agreement. In the event that no higher-level agreement or LOC is in effect, the Direct Award Forest Tenure Revenue Sharing Component will revert to 35%.


Changes to the Provincial Forestry Revenue Sharing Program

5.1 If, during the term of this Agreement, British Columbia modifies, changes or replaces its policy approach to the provincial forestry revenue sharing that is applicable to this agreement, including by modifying, enhancing or replacing its current policy applicable to Forest Consultation and Revenue Sharing Agreements, then:

- (a) BC will inform Tk'emlúps te Secwepemc of the Policy Change; and
- (b) The Parties will amend the Agreement in accordance with the Policy Change, if required, to ensure that the Revenue Sharing Contribution in any applicable BC Fiscal Year is as that set out by the Policy Change, calculated in accordance with the Policy Change.

8. In all other respects the Agreement, as amended, remains the same.

Signed on behalf of:
Government of British Columbia

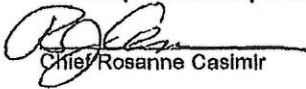

Honorable Minister Scott Fraser
Minister of Indigenous Relations
and Reconciliation

Date

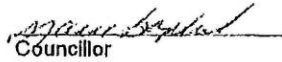
Oct. 24. 2019


Witness of Minister Signature

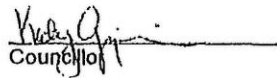
Tik'emlúps te Secwépemc


Chief Rosanne Casimir

Date


Councillor

Sept. 24, 2019
Date


Councillor

Sept 24, 2019
Date


Witness of Tik'emlúps te Secwépemc Signature

Confirmation and Amending Agreement #2:

Forest and Range Consultation and Revenue Sharing Agreement Confirmation and Amending Agreement

Between:

**Her Majesty the Queen in Right of the Province of British Columbia, as
represented by the Minister of Indigenous Relations and Reconciliation**

And:

Tk'emlúps te Secwépemc

(Collectively referred to here as the "Parties")

WHEREAS:

- A. The Parties entered into the Forest and Range Consultation and Revenue Sharing Agreement ("Agreement") on September 9, 2016 which is attached as Appendix A;
- B. The Parties amended the Agreement on March 27, 2017 (Amendment #1) to align the Agreement with negotiations on a Reconciliation Framework Agreement;
- C. The Reconciliation Framework Agreement was transcended by the Qwelmlnté-Secwépemc Government to Government Letter of Commitment on March 14th, 2019;
- D. The terms of the Agreement and the subsequent Amendments expired on April 9, 2019.
- E. The Parties wish to confirm their intentions to be bound by the terms of the Agreement, as previously amended, as if it had not expired, and in accordance with the further amendments set out in this Confirmation and Amending Agreement.

NOW THEREFORE THE PARTIES AGREE AS FOLLOWS:

- 1. This Confirmation and Amending Agreement will take effect on the date that it is fully executed by the Parties.
- 2. The Parties agree to continue to be bound by the Agreement, in accordance with this Confirmation and Amending Agreement, as if the Agreement had not expired.
- 3. Section 14.0 is amended as follows:
14.1 This Agreement will end on August 1, 2020.
- 4. Appendix C is amended as follows:

1.3 The Traditional Territory Forest Revenue Sharing Component will be calculated by multiplying 5 percent of the forest revenue attributed to the Tk'emlúps te Secwepemc as described in section 1.2 of this Appendix. Revenue sharing percentages are reflective of the Letter of Commitment (LOC) participation or an equivalent Reconciliation (RA) type of agreement. In the event that no higher-level agreement or LOC is in effect, the Territory Forest Revenue Sharing Component will revert to 3%.

2.1 The Direct Award Forest Tenure Revenue Sharing Component will be calculated by multiplying 75 percent of the forest revenue as described in section 2.0 of this Appendix. Revenue sharing percentages are reflective of the LOC participation or an equivalent RA-type of agreement. In the event that no higher-level agreement or LOC is in effect, the Direct Award Forest Tenure Revenue Sharing Component will revert to 35%.


Changes to the Provincial Forestry Revenue Sharing Program

5.1 If, during the term of this Agreement, British Columbia modifies, changes or replaces its policy approach to the provincial forestry revenue sharing that is applicable to this agreement, including by modifying, enhancing or replacing its current policy applicable to Forest Consultation and Revenue Sharing Agreements, then:

- (a) BC will inform Tk'emlúps te Secwepemc of the Policy Change; and
- (b) The Parties will amend the Agreement in accordance with the Policy Change, if required, to ensure that the Revenue Sharing Contribution in any applicable BC Fiscal Year is as that set out by the Policy Change, calculated in accordance with the Policy Change.

8. In all other respects the Agreement, as amended, remains the same.

Signed on behalf of:
Government of British Columbia



Honorable Minister Scott Fraser
Minister of Indigenous Relations
and Reconciliation

Date

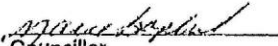
Oct. 24. 2019


Witness of Minister Signature

Tk'emlúps te Secwépém


Chief Rosanne Casimir

Date


Councillor

Sept. 24, 2019
Date


Councillor

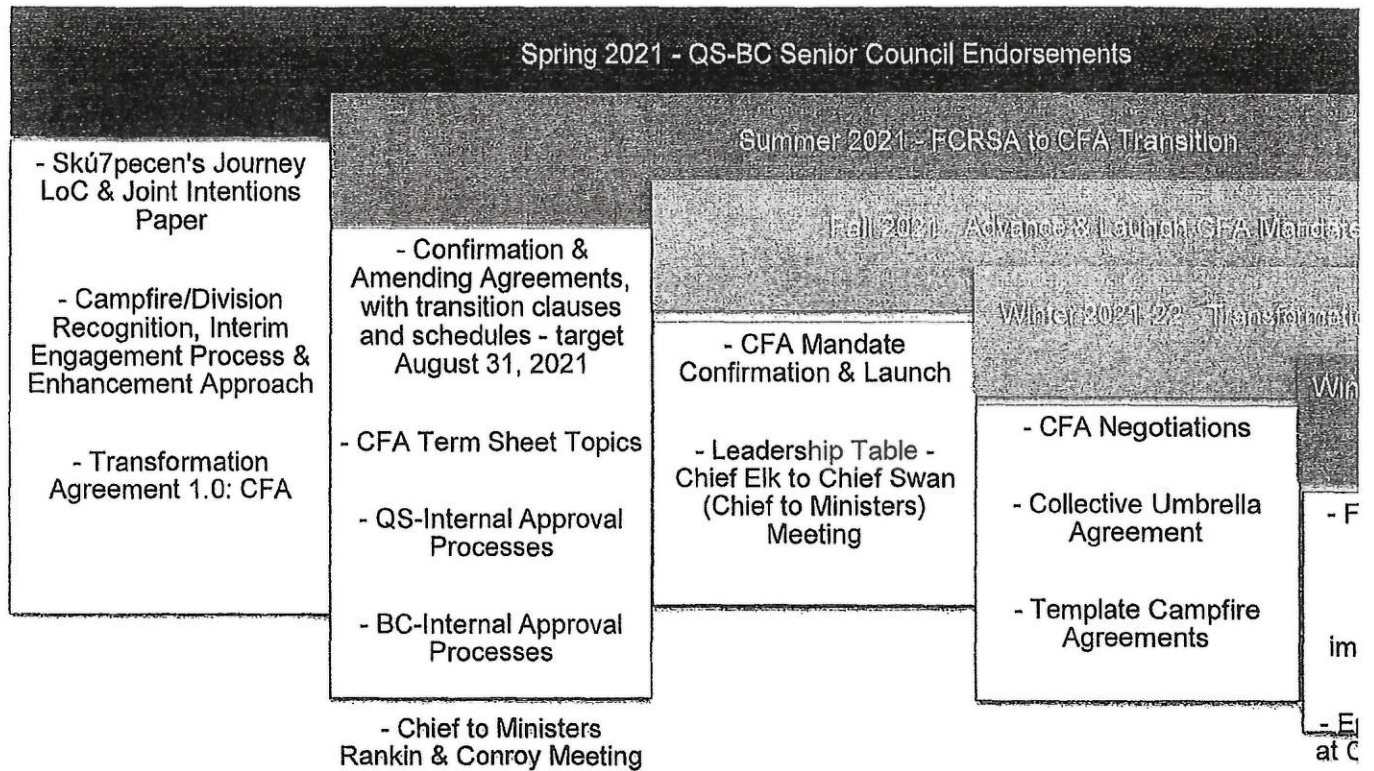
Sept 24, 2019
Date


Witness of Tk'emlúps te Secwépém Signature

Schedule B – CFA Pathway & Commitments.

1. The following is a summary of CFA commitments, including **Figure 1.0: CFA Pathway**:
 - a. On March 11, 2021, Qwelmté Secwépemc ("QS") to BC Senior Council endorsed the following resolutions and their associated decision points:
 - i. *Txweymímentem* Senior Council Resolution - 0001: Skú7pecens Journey and the QS-BC Joint Intentions Paper ("JIP");
 - ii. *Txweymímentem* Senior Council Resolution – 0002: Respecting & Recognizing the Campfire/Division, Interim Engagement Process & Enhancement Approach; and
 - iii. *Txweymímentem* Senior Council Resolution – 0003: Transformation Agreement 1.0: CFA.
 - b. BC has since entered its internal approvals process to seek Minister-level endorsement of Skú7pecen's Journey Letter of Commitment ("SJ LoC"), which includes the JIP and the associated implementation funding.
 - c. Along with the SJ LoC and JIP, BC is also advancing the request to negotiate a CFA (identified as the first of five (5) collective agreements in the JIP). BC and QS are actively working to continue to refine the negotiation mandate request with additional funding and clarity on the CFA Term Sheet.
 - d. One intention of the CFA is to jointly develop a new recognition-based forestry revenue sharing model, to replace the Agreement. The terms of this model are yet to be negotiated and require the negotiation mandate requests to be approved by both Parties to move forward.
 - e. QS signatory communities began work internally to support and refine the negotiation mandate request with the CFA Term Sheet, through their internal approval processes, seeking endorsement at the Joint Leadership Council on August 25, 2021. Pursuant to this approval, the QS will be working with the communities and their respective Campfire/Divisions to further ratify the mandate requests with each of the QS signatories, in parallel with BC's approval process.
 - f. While this Confirmation and Amending Agreement cannot confirm the CFA mandate, the Parties do wish to affirm the intentions to move forward in replacing the Agreement through the CFA and are taking the steps to secure the approvals to do so.

Figure 1.0 – CFA Pathway



Schedule C - 2021.03.11 Txweymímentem Senior Council Resolutions.

The following are the 2021.03.11 Txweymímentem Senior Council Resolutions #2021-0001, #2021,0002, and #2021-0003:



TXWEYMIEMENTEM
(EVERYONE WORKING TOGETHER ON ONE TOPIC)
RESOLUTION

Title: SKÚ7PECEN's JOURNEY AND QS-BC JOINT INTENTIONS PAPER

RESOLUTION#2021-0001

Date of Reference:2021.02.16

WHEREAS

The Qwel'mínte Secwépemc ("QS") is comprised of certain Secwépemc communities who are each signatory ("QS Signatory") to the Secwépemc-BC Government-to-Government ("G2G") letter of commitment ("Original LoC") signed on April 1, 2019 with the Province of British Columbia ("BC"), including respective BC Ministries ("BC Signatories"). Each QS Signatory acts collectively within the Secwépemc Nation, where the purpose of the QS is to act as the administrative entity for the QS Signatories and their respective campfires/divisions ("QS Campfire/Division").

WHEREAS

Pursuant to the Original LoC, QS and BC (the "Parties") agreed to the objective of making sustained, substantive progress towards development of a shared path to a long-term reconciliation agreement to advance the Parties' interests in a true G2G relationship, based on the shared goal to reconcile their respective jurisdictions, governance, laws, values and responsibilities.

WHEREAS

Pursuant to the Original LoC, the Parties established an inter-jurisdictional G2G Forum (the "QS-BC Forum") as indicated in section 2.1 of the Original LoC, which includes a Leadership Table, a G2G Senior Council (the "QS-BC Senior Council"), and various sub-tables, including the Strategic Working Group ("SWG").

WHEREAS

The QS-BC Senior Council authorized its terms of reference ("Terms of Reference") under the Original LoC on July 25, 2019 and revised these Terms of Reference on February 4, 2021 and the terms of reference include authority to make Txweymímentem Resolutions (everyone working together on one topic).

WHEREAS

The QS-BC Senior Council also authorized its work plan ("Work Plan") under the Original LoC on July 25, 2019. This Work Plan includes the development of the Joint Intentions Paper (the "JIP") (Attachment 1 – SJ LoC, Appendix H) to support the BC's Ministerial mandate request and QS mandate request ("QS and BC Mandate Requests").

WHEREAS

The QS-BC G2G Forum's SWG, supported by the drafting committee, collaboratively developed the JIP to support the QS and BC Mandate Requests.

WHEREAS

BC and QS recognize that foundational to this shared pathway will be the implementation of the *Declaration on the Rights of Indigenous Peoples Act* (the "*BC Declaration Act*"), including the action plan under section 4 and the provisions authorized under section 7. The *BC Declaration Act* and the JIP are intended to inform recognition and reconciliation between the QS and BC.

WHEREAS

The Parties are negotiating an amendment and restatement of the Original LoC, referred to as the Skú7pecen's Journey letter of commitment ("SJ LoC") (Attachment 1) and, the Parties wish to continue their G2G engagements, including in respect of those intentions set out in the JIP (Attachment 1 – SJ LoC, Appendix H). During the interim period, while they are negotiating the SJ LoC, QS and BC wish to enter into a QS-BC Bridging and Funding Agreement in order to extend the term of the Original LoC and continue their respective G2G engagements, including those in relation to the SJ LoC and JIP.

WHEREAS

The JIP's purpose is to describe the proposed framework of the shared path of QS and BC based on the mutual goal to recognize and reconcile their respective jurisdictions, governance, laws, interests and responsibilities. This will be undertaken through a series of stepwise transformation agreements ("*Transformation Agreements*"), which will conclude with a recognition and reconciliation agreement (the "*Recognition and Reconciliation Agreement*" or "RRA"). The RRA will be a comprehensive agreement at a collective level, inclusive of all Transformation Agreements to affirm a lasting G2G relationship and commitment to undertake work towards true recognition of Secwépemc rights and title. The development and implementation of the Transformation Agreements and the RRA will require transformative mandates and commitment from both the QS and BC.

WHEREAS

The JIP (Attachment 1 – SJ LoC, Appendix H) identifies in its Agreement Pathway that the series of Transformation Agreements will include both collective and QS Campfire/Division level provisions that will be informed by the following five JIP Elements:

- 1) Governance (Title, Jurisdiction and Ownership);
- 2) Stewardship (*Yecwminulecw*);
- 3) Natural Resource Decision Making;
- 4) Fiscal / Economic; and
- 5) Cultural Revitalization.

[TXWEYM/MENTEM RESOLUTION PAGE FOLLOWS]


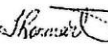
THEREFORE BE IT RESOLVED THAT:

Senior Council Authorize: the following documents and recommendations to the QS and BC Signatories for their respective approvals:

- 1) Bridging and Funding Agreement: the execution of the Bridging and Funding Agreement on or before March 31, 2021 (Attachment 2);

Senior Council Authorize: the following documents and recommendations to the Leadership Table and QS and BC Signatories for their respective approvals:

- 2) the JIP dated December 17, 2020 (Attachment 1 – SJ LoC, Appendix H);
- 3) SJ LoC (Attachment 1 – SJ LoC with referred appendices below): through which the QS and BC Signatories amend and revise the Original LoC including actions and funding to support the realization of the JIP which is recommended to occur, within 60 days of the approval of this resolution;
- 4) Mandate Confirmation: the QS and BC Signatories undertake the actions necessary to confirm the mandates for the SJ LoC and JIP realization while respecting each other's internal mandate confirmation processes and "Walking on Two Legs"; and
- 5) Leadership Table Meeting: the QS and BC Leadership Table representatives to meet in a "Chief Elk to Chief Swan" meeting to uphold their commitments under the SJ LoC within 90 days of the approval of this resolution.

The above is the official version of the <i>Txweymmentem</i> Resolution approved through the QS-BC Senior Council.	
 Darrel Draney (Apr 14, 2021 16:01 PDT)	Apr 14, 2021
Councillor Darrel Draney, QS Responsible Official	DATE
 Tracy Ronmark (Apr 19, 2021 16:01 PDT)	Apr 19, 2021
Tracy Ronmark, FLNRORD BC Responsible Official	DATE

Attachments include the following:

- o **Attachment 1** - The SJ LoC and the relevant appendices as listed below:
 - i. Appendix A: Map of Secwépemc Territory;
 - ii. Appendix B: Funding;
 - iii. Appendix D: Excluded Provincial Area of Responsibility;
 - iv. Appendix E: The Story of Porcupine (*Skú7pecen re Stseptékwlls*);
 - v. Appendix F: Memorial to Sir Wilfrid Laurier (1910); and
 - vi. Appendix H: JIP dated December 17, 2020.
- o **Attachment 2** - Bridging and Funding Agreement.

Page 3 of 3
TR: SJ and JIP



Qwel'minto – Secwépemc G2G (QS-G2G)



TXWEYM/MENTEM
(EVERYONE WORKING TOGETHER ON ONE TOPIC)
RESOLUTION

Title: RESPECTING & RECOGNIZING THE CAMPFIRE/DIVISIONS, INTERIM ENGAGEMENT PROCESS & ENHANCEMENT APPROACH

RESOLUTION#2021-0002

Date of Reference:2021.03.02

WHEREAS

The Qwel'minto Secwépemc ("QS") is comprised of certain Secwépemc communities who are each signatory ("QS Signatory") to the Secwépemc-BC Government-to-Government ("G2G") letter of commitment ("Original LoC") signed on April 1, 2019 with the Province of British Columbia ("BC"), including respective BC Ministries ("BC Signatories"). Each QS Signatory acts collectively within the Secwépemc Nation, where the purpose of the QS is to act as the administrative entity for the QS Signatories and their respective campfires/divisions ("QS Campfire/Division").

WHEREAS

Pursuant to the Original LoC, QS and BC (the "Parties") have collaboratively developed the original Interim Engagement Approach ("Original IEA"), which was an agreement deliverable to support financial and operational continuity with respect to consultation and engagement between the Parties on land and resource activities.

WHEREAS

Pursuant to the Original LoC, the Parties established an inter-jurisdictional G2G Forum (the "QS-BC Forum") as indicated in section 2.1 of the Original LoC, which includes a Leadership Table, a G2G Senior Council (the "QS-BC Senior Council"), and various sub-tables established by the Original IEA.

WHEREAS

In the Original LoC, the Parties acknowledged that the Original IEA is a living document, where the Parties are able to make mutually agreeable amendments from time to time as the Original LoC is implemented. QS and BC identified the intention to enhance the Original IEA, exploring collaborative approaches to consensus on decisions and issue resolution, and incorporate enhancements that are mutually acceptable to the Parties through amendments in writing (identified in the Original IEA, section Error! Reference source not found.).

WHEREAS

The Parties are negotiating an amendment and restatement of the LoC, referred to as Skú7pecen's Journey letter of commitment ("SJ LoC") (Attachment 1). The Parties wish to continue their G2G engagements, including those commitments to the Original IEA, which is identified within in the SJ LoC as the newly entitled Interim Engagement

Process ("IEP") (Attachment 1 – SJ LoC, Appendix C). Under the proposed approach in the SJ LoC, consultation on transactional decisions and other engagement will occur with the QS Signatories and their respective QS Campfires/Divisions and/or communities. The Senior Council recognizes the QS Campfires/Divisions and their role in decision making as title and rights holders and that the QS Campfire/Divisional tables align with Secwépamc rights, title, and governance.

WHEREAS

The Joint Intentions Paper ("JIP") Chapter 8.0 (Attachment 1 – SJ LoC, Appendix H) entitled "Natural Resource Decision-Making Element" identifies that status quo (i.e., consultation and accommodation relating to strength of claim and impacts) decision-making exists under the Original IEA. QS and BC have committed to making improvements to the Original IEA, intend to continue to make these improvements through the SJ LoC as the IEP and Enhancement Approach (the "EA") moving forward to reflect the evolution of the Natural Resource Decision-Making Element, including milestones in transformation agreements ("Transformation Agreements") and the Recognition and Reconciliation Agreement ("RRA").

WHEREAS

The JIP Chapter 8.0 entitled "Natural Resource Decision-Making Element" indicates that under the IEP and the EA consultation on transactional decisions (such as decisions made pursuant to existing BC statutory authority) and other engagement will occur with QS Signatories and their respective QS Campfires/Divisions and/or communities and that QS and BC will seek to develop additional tools that will be applied through the IEP and the Transformation Agreements.

WHEREAS

The QS-BC Senior Council also authorized its work plan ("Work Plan") under the Original LoC on July 25, 2019 and revised the Work Plan that is now dated for reference February 4, 2021 (Attachment 2). The Work Plan includes a commitment to the IEP and EA.

[TXWEYM/MENTEM RESOLUTION PAGE FOLLOWS]

THEREFORE BE IT RESOLVED THAT:

The following approvals and recommendations have been made to transform the QS-BC G2G relationship while the Natural Resource shared decision-making model is developed. These include alignments which recognize the significance of regionalization and respecting QS Campfire/Division jurisdiction and decision-making authority.

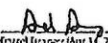
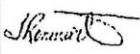
Senior Council Authorize; the following documents and recommendations to the Leadership Table and QS and BC Signatories for their respective approvals;

- 1) The Interim Engagement Process or IEP (Attachment 1 - SJ LoC with referred appendices below) which includes, among other things, recognition of the following:
 - i. status quo decision making exists under the IEP. The Parties will implement the IEP in a manner consistent with the JIP, including the intentions to improve the IEP over time to reflect the evolution of the JIP's "Natural Resource Decision Making Element", including milestones in the Transformation Agreements and the RRA;
 - ii. The IEP will be iteratively built using the EA or Enhancement Approach to improve engagement, exploring approaches to consensus on decisions and issues resolution, and incorporate enhancements that are mutually acceptable to the Parties through amendment in writing; and
 - iii. The IEP recognizes the QS Campfire/Division G2G Tables for the purpose of supporting engagement under the IEP.
- 2) The Enhancement Approach or EA (Attachment 1 – the SJ LoC, Appendix G) which describes how QS and BC will work together to collaboratively enhance the IEP and, among other things, acknowledges that:
 - i. The QS and BC Signatories have agreed to shift from the Original IEA under the Original LoC to the IEP to support an iterative and adaptive approach, whereby the Parties develop bi-annual series/rounds of improvements or enhancements to be approved by Senior Council; and
 - ii. The Parties recognize and respect G2G relationships of each QS Signatory at community and Campfire/Divisional levels, and recognize and respect that the IEP is intended to respect those relationships. The QS and BC Signatories recognize the QS Campfires/Divisions and communities in their role in decision making as title and rights holders. Under the IEP, consultation on transactional decisions and other engagement will occur with the QS Signatories and their respective QS Campfires/Divisions and/or communities (see JIP section 8).

- 3) The Skú7pecen's Journey or SJ LoC – QS Campfire/Division Recognition: as part of the amendment and restatement of the Original LoC, the following provision be included:
- i. The QS and BC recognize the QS Signatories and their respective QS Campfires/Divisions and their role in decision making as title and rights holders and recognize that the Campfire/Divisional tables align with Secwépemc title, rights and governance. Under the SJ LoC, including the IEP, consultation on transactional decisions and other engagement will occur with the QS Signatories and their respective QS Campfires/Divisions and/or communities.
- 4) Original IEA to IEP Transformation: as part of the amendment and restatement of the Original LoC, the QS and BC Leadership Table representatives and QS and BC Signatories replace the Original IEA with the IEP (Attachment 1 - the SJ LoC, Appendix C).

Senior Council Authorize: the following recommendations to the QS and BC Signatories to support the QS Campfire/Division recognition and implementation of the IEP and its EA or Enhancement Approach, as part of the QS-BC Work Plan 2021-22:

- 5) Short Term Actions: Sku7pecen's Journey 101: for the QS and BC Signatories to direct their respective Secretariats to develop an orientation package and Skú7pecen's Journey 101 course or workshop for delivery to the QS and BC representatives; and
- 6) Short Term Actions: Respectful Engagement: all representatives (QS and BC) responsible for leading engagement in connection with the SJ LoC will undertake the Sku7pecen's Journey 101 training as a commitment to their professional development and supporting respectful engagement between the Parties.

The above is the official version of the <i>Txweymímentem</i> Resolution approved through the QS-BC Senior Council.	
 <small>Signed Darrel Draney (Apr 14, 2021 16:01 PDT)</small>	Apr 14, 2021
Councillor Darrel Draney, QS Responsible Official	DATE
	Apr 19, 2021
Tracy Ronmark, FLNRORD BC Responsible Official	DATE

Attachments include the following:

- o **Attachment 1** - The SJ LoC and the relevant appendices as listed below:
 - i. Appendix C: IEP or Interim Engagement Process;
 - ii. Appendix G: The EA or the Enhancement Approach; and
 - iii. Appendix H: JIP dated December 17, 2020.
- o **Attachment 2** - the QS-BC Work Plan dated for reference February 4, 2021.



Qwelmtnte – Secwépemc G2G (QS-G2G)



TXWEYMIMENTEM (EVERYONE WORKING TOGETHER ON ONE TOPIC) **RESOLUTION**

Title: TRANSFORMATION AGREEMENT 1.0: COLLECTIVE FORESTRY AGREEMENT ("CFA")

RESOLUTION#2021-0003

Date of Reference: 2021.02.09

WHEREAS:

The Qwelmtnte Secwépemc ("QS") is comprised of certain Secwépemc communities who are each signatory ("QS Signatory") to the Secwépemc-BC Government-to-Government ("G2G") letter of commitment ("Original LoC") signed on April 1, 2019 with the Province of British Columbia ("BC"), including respective BC Ministries ("BC Signatories"). Each QS Signatory acts collectively within the Secwépemc Nation, where the purpose of the QS is to act as the administrative entity for the QS Signatories and their respective campfires/divisions ("QS Campfire/Division").

WHEREAS:

Pursuant to the LoC, QS and BC (the "Parties") agreed to the objective of making sustained, substantive progress towards development of a shared path to a long-term reconciliation agreement to advance the Parties' interests in a true G2G relationship, based on the shared goal to reconcile their respective jurisdictions, governance, laws, values and responsibilities.

WHEREAS:

Pursuant to the LoC, the Parties established an Inter-jurisdictional G2G Forum (the "QS-BC Forum") as indicated in section 2.1 of the Original LoC, which includes a Leadership Table, a G2G Senior Council (the "QS-BC Senior Council"), and various sub-tables, including the QS-BC Forestry Working Group (the "QS-BC FWG").

WHEREAS:

The QS-BC Senior Council authorized its work plan ("Work Plan") under the LoC on July 25, 2019. This Work Plan includes the development of the Joint Intentions Paper (the "JIP") to support the BC's Ministerial mandate request and QS mandate request ("QS and BC Mandate Requests").

WHEREAS:

The QS-BC FWG developed and approved its Forestry Transformation Action Plan ("FTAP"), which has directly informed the JIP.

WHEREAS:

The QS-BC FWG has also worked to collaboratively develop recommendations for the JIP. These recommendations are described in the JIP under Chapter 11 titled "Forestry Transformation", and are directly informed by FTAP, including (1) short-term priority actions for 2020-2021 and (2) longer-term actions to be advanced to both governments for their consideration in developing negotiations mandates for a CFA.

WHEREAS:

BC and the QS recognize that foundational to this shared pathway will be implementation of the *Declaration on the Rights of Indigenous Peoples Act* (the "*BC Declaration Act*"), including the action plan under section 4 and the provisions authorized under section 7. The BC Declaration Act and the JIP are intended to inform recognition and reconciliation between the QS and BC.

WHEREAS:

BC's Ministerial Mandate letter (Attachment 1) includes a foundation principle whereby "Lasting and meaningful reconciliation: Reconciliation is an ongoing process and a shared responsibility for us all. The unanimous passage of the *BC Declaration Act* was a significant step forward in this journey. True reconciliation will take time and ongoing commitment to work with Indigenous peoples as they move toward self-determination. Our government – and every ministry – must remain focused on creating opportunities for Indigenous peoples to be full partners in our economy and providing a clear and sustainable path for everyone to work toward lasting reconciliation."

WHEREAS:

The JIP's purpose is to describe the proposed framework of the shared path of QS and BC based on the mutual goal to recognize and reconcile their respective jurisdictions, governance, laws, interests and responsibilities. This will be undertaken through a series of stepwise transformation agreements ("Transformation Agreements"), which will conclude with a recognition and reconciliation agreement (the "Recognition and Reconciliation Agreement" or "RRA"). The RRA will be a comprehensive agreement at a collective level, inclusive of all Transformation Agreements to affirm a lasting G2G relationship and commitment to undertake work towards true recognition of Secwépemc rights and title. The development and implementation of the Transformation Agreements and the RRA will require transformative mandates and commitment from both the QS and BC.

WHEREAS:

The JIP identifies in its Agreement Pathway that the series of Transformation Agreements will include both collective and Campfire/Division provisions that will be informed by the following five JIP Elements (described further in sections B. 6-10 of the JIP):

- 1) Governance (Title, Jurisdiction and Ownership);
- 2) Stewardship (*Yecwminulecw*);
- 3) Natural Resource Decision Making;
- 4) Fiscal / Economic; and
- 5) Cultural Revitalization.

WHEREAS:

The JIP identifies the first Transformation Agreement in the Agreement Pathway to be Transformation Agreement 1.0: Collective Forestry Agreement.

[TXWEYMMENTEM RESOLUTION PAGE FOLLOWS]

THEREFORE BE IT RESOLVED THAT:

Senior Council Recognize: the following to inform the development of respective QS and BC Mandate Requests for the development of the CFA:

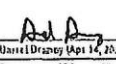
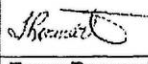
- 1) The JIP, including Chapter 11.0 titled "Forestry Transformation" dated December 17, 2020.

Senior Council Authorize: the following recommendations to the BC and QS Signatories to support the realization of Chapter 11.0 of the JIP:

- 2) Short Term Priority Actions: For the BC and QS Signatories to continue to undertake the work supporting the Short-Term Priority Actions, including efforts of the QS-BC FWG and Campfire/Divisions, as appropriate. In addition, for the BC and QS Secretariats to pursue a briefing meeting and session with Minister Conroy, Minister Heyman, Minister Ralston, and Minister Rankin on QS Forestry initiatives and the path forward to the CFA, which will be apart of the "Chief Swan to Chief Elk" meeting.

Senior Council Authorize: the following recommendations to the QS-BC Leadership Table and the QS and BC Signatories:

- 3) Respective Mandates: For the QS and BC Responsible Officials to develop their respective Mandate Requests to be submitted to their respective leadership. The development of each respective Mandate Requests will be informed by the JIP and be inclusive of the following proposals:
 - i. funding for negotiations and implementation of the CFA;
 - ii. actions to support the transition from Forest Consultation and Revenue Sharing Agreements to the CFA;
 - iii. a commitment to launch a negotiations table with associated funding within 30 days from the respective mandate approval(s) or funding approval, whichever comes later; and
 - iv. confirmation of negotiation table duly authorized representatives with authority to enter into negotiations on behalf of their respective parties.

The above is the official version of the <i>Txweymmentem</i> Resolution approved through the QS-BC Senior Council.	
 Darrel Draney (Apr 14, 2021 10:01 PM)	Apr 14, 2021
Councillor Darrel Draney, QS Responsible Official	DATE
 Tracy Ronmark, FLNRORD	Apr 19, 2021
BC Responsible Official	DATE

Attachment includes:

- o Attachment 1 - BC's Honourable Minister (FLNRORD) Katrine Conroy's Mandate Letter.

Schedule D - List of Relevant and Informative Forestry Documents.

The following is a list of relevant documents which informs this Confirmation and Amending Agreement:

Document	Status	Dates
QS-BC JIP, including Chapter 11: Forestry Transformation	Approved by QS-BC Senior Council	March 11, 2021
Forestry Transformation Action Plan	Approved by QS-G2G Forestry Working Group	June 17, 2020
Skú7pecen's Journey LoC	Recommended by QS-BC Senior Council In approval process for Leadership Table	Recommended by QS-BC Senior Council on March 11, 2021
<i>Declaration on the Rights of Indigenous Peoples Act ("DRIPA")</i>	Finalized	November 28, 2019
BC's draft DRIPA Action Plan	Out for engagement with Indigenous communities	In-progress
BC's draft Climate Preparedness and Adaptation Strategy	Out for public engagement	In-progress
BC's Intentions Paper: Modernizing Forest Policy in BC	Finalized	June 1, 2021
CFA Topics – Negotiation / Term Sheet Topics	Draft	In-progress

Schedule E – QS-BC Short-Term Opportunities.

The following table represents some short-term QS-BC initiatives and priority values that may be acted upon Amending Agreement and the negotiation of a CFA. The table is not an exhaustive list and may be collabora areas.

Initiative	Topic Areas	Status	
Wildfire recovery / rehab & Remediation Planning Post Recovery and Salvage Opportunities Carbon Related Planting	Territorial Patrol & Collaborative Stewardship Morel Mushroom Harvest Understory Conservation & Management	Forest Lands and Natural Resources ("FLNR") regional staff will start planning for a consistent and collaborative approach to recovery work with impacted communities. Need to initiate discussion as a part of fire recovery	FLI FLNR
BC Intentions Paper: <i>Engagement on Modernizing Forest Policy in BC</i>	TBD	Invitations have gone out to all communities and the QS to engage on the Intentions paper.	Tracy Provinc Inte through
Engagement on Old Growth	TBD	TBD	Eric Va
Economic Development	TBD	There are several potential initiatives, to be discussed	Office
Kamloops Apportionment process and disposition (tenure interests)	Skú7pecen's Option & Rationale	The Campfire-G2G, comprised of FLNR reps & the Campfires / Divisions reps of Stk'emlupsemc te Secwépemc ("SSN") [comprised of Tk'emlups te Secwépemc & Skeetchestn] and Simpcwemc [comprised of Simpcw], are preparing a collaborative option that is nearing completion.	includ
TSOs & Territorial Patrol	TBD	Underway through the Stewardship initiative (SFE, HCTF)	