

1.1 This 2023 Amending Agreement dated for reference the ___ day of ____, 2023.

2023 Amending Agreement

between

THE TAKU RIVER TLINGIT FIRST NATION

as represented by the Spokesperson and a quorum of Clan Directors

(the "TRTFN")

and

HIS MAJESTY THE KING IN RIGHT OF

THE PROVINCE OF BRITISH COLUMBIA

as represented by the Minister of Indigenous Relations and Reconciliation

(hereinafter the "Province")

(each a "Party" and collectively the "Parties")

WHEREAS:

- A. On July 19, 2011, the Province and TRTFN entered into the *Wóoshtin yan too.aat / Land and Resource Management and Shared Decision Making Agreement*;
- B. The Parties amended the *Wóoshtin yan too.aat / Land and Resource Management and Shared Decision Making Agreement* by the Amending Agreement dated for reference March 23, 2015 (the "2015 Amending Agreement");
- C. The Parties amended the *Wóoshtin yan too.aat / Land and Resource Management and Shared Decision Making Agreement* by the Amending Agreement dated for reference March 16, 2018 (the "2018 Amending Agreement"); and

- D. The Parties amended the *Wóoshtin yan too.aat / Land and Resource Management and Shared Decision Making Agreement* by the Amending Agreement dated for reference July 18, 2020 (the “2020 Amending Agreement”); and
- E. The Province and the TRTFN now wish to further amend the *Wóoshtin yan too.aat / Land and Resource Management and Shared Decision Making Agreement* to extend the funding provided to the TRTFN for implementation of that agreement, for an additional 3 year period ending July 18, 2026.

NOW, THEREFORE, THE TRTFN AND THE PROVINCE AGREE AS FOLLOWS:

2. Effective Date

- 2.1 This 2023 Amending Agreement will take effect on the last date it is signed by the Parties to this 2023 Amending Agreement (the “2023 Amending Agreement Effective Date”).

3. Amendments to the *Wóoshtin yan too.aat / Land and Resource Management and Shared Decision Making Agreement*

- 3.1 On and after the 2023 Amending Agreement Effective Date, Section 1.1 of the *Wóoshtin yan too.aat / Land and Resource Management and Shared Decision Making Agreement* is amended as follows:

- 2.1.a Adding the following definition:

“**2023 Amending Agreement Effective Date**” means the date the 2023 Amending Agreement between the TRTFN and the Province is signed by both Parties;”

- 2.2 On and after the 2023 Amending Agreement Effective Date, Part 10 of the *Wóoshtin yan too.aat / Land and Resource Management and Shared Decision Making Agreement* is replaced with the following amended and restated Part 10:

10. Funding Support for Implementation of this Agreement

- 10.1 The Parties will be responsible for pursuing resources to implement their own commitments under this Agreement from funding sources potentially available to them.
- 10.2 For the initial three (3) year period of the Agreement, the Province will provide the TRTFN with an amount not to exceed \$600,000 to supplement its own resources as follows:

- 10.2.a Funding of \$100,000 per year for three (3) years commencing on the Effective Date to support Tlingit capacity to implement the Agreement including Shared Decision Making structures, processes and initiatives;
 - 10.2.b Funding of \$50,000 per year for three (3) years to support a TRTFN fish and wildlife management program;
 - 10.2.c Funding of up to \$50,000 to support a Joint Initiative approved by the G2G Forum to evaluate industrial road access options to the Tulsequah valley, if required and in a manner consistent with Appendix E; and
 - 10.2.d Funding of up to \$100,000 in total to support one or more of the following:
 - 10.2.d.i TRTFN involvement in Engagement for up to two (2) projects that are subject to environmental assessment;
 - 10.2.d.ii TRTFN involvement in Level 4 Engagement for other projects, by agreement.
- 10.3 The Province will provide the TRTFN with the funding outlined in Section 10.2 as follows:
- 10.3.a Under Sections 10.2.a and b for the first year of the Agreement upon signing of the Agreement;
 - 10.3.b Under Sections 10.2.a and b for the second and third year of the Agreement upon submission by the TRTFN of the annual reports under Part 11;
 - 10.3.c Under Section 10.2.c upon approval of the Joint Initiative by the G2G Forum; and
 - 10.3.d Under Section 10.2.d upon a major project entering the environmental assessment process, or other approval processes.
- 10.4. For the subsequent three (3) year period of the Agreement as per the 2015 Amending Agreement, the Province will provide the TRTFN with an amount not to exceed \$450,000 as follows:
- 10.4.a \$37,500, provided on July 11, 2014;
 - 10.4.b \$62,500 within thirty (30) days of the Amending Agreement Effective Date to support Taku River Tlingit capacity to implement this Agreement including Shared Decision Making structures, process and initiatives;
 - 10.4.c \$50,000 within ninety (90) days of the Amending Agreement Effective Date to support a TRTFN fish and wildlife management program;
 - 10.4.d \$100,000 on or before July 19, 2015 to support Taku River Tlingit capacity to implement this Agreement including Shared Decision Making structures, process and initiatives;
 - 10.4.e \$50,000 on or before July 19, 2015 to support a TRTFN fish and wildlife management program;

- 10.4.f \$100,000 on or before July 19, 2016 to support Taku River Tlingit capacity to implement this Agreement including Shared Decision Making structures, process and initiatives; and
 - 10.4.g \$50,000 on or before July 19, 2016 to support a TRTFN fish and wildlife management program.
- 10.5 For a further subsequent three (3) year period of the Agreement as per the 2018 Amending Agreement, the Province will provide the TRTFN with an amount not to exceed \$750,000 as follows:
- 10.5.a \$100,000 by March 31, 2018 to support Taku River Tlingit capacity to implement this Agreement including Shared Decision Making structures, processes and initiatives;
 - 10.5.b \$50,000 by March 31, 2018 to support a TRTFN fish and wildlife management program;
 - 10.5.c \$100,000 by March 31, 2018 to support Taku River Tlingit capacity and involvement in initiatives related to placer mining;
 - 10.5.d \$100,000 on or before July 19, 2018 to support Taku River Tlingit capacity to implement this Agreement including Shared Decision Making structures, processes and initiatives;
 - 10.5.e \$50,000 on or before July 19, 2018 to support a TRTFN fish and wildlife management program;
 - 10.5.f \$100,000 on or before July 19, 2018 to support Taku River Tlingit capacity and involvement in initiatives related to placer mining;
 - 10.5.g \$100,000 on or before July 19, 2019 to support Taku River Tlingit capacity to implement this Agreement including Shared Decision Making structures, processes and initiatives;
 - 10.5.h \$50,000 on or before July 19, 2019 to support a TRTFN fish and wildlife management program, and;
 - 10.5.i \$100,000 on or before July 19, 2019 to support Taku River Tlingit capacity and involvement in initiatives related to placer mining.
- 10.6 For a further subsequent three (3) year period of the Agreement as per the 2020 Amending Agreement, the Province will provide the TRTFN with an amount not to exceed \$750,000 as follows:
- 10.6.a \$100,000 within 30 days of the 2020 Amending Agreement Effective Date to support Taku River Tlingit capacity to implement this Agreement including Shared Decision Making structures, processes and initiatives;

- 10.6.b \$50,000 within 30 days of the 2020 Amending Agreement Effective Date to support a TRTFN fish and wildlife management program;
 - 10.6.c \$100,000 within 30 days of the 2020 Amending Agreement Effective Date to support Taku River Tlingit capacity and involvement in initiatives related to placer mining;
 - 10.6.d \$100,000 on or before July 19, 2021 to support Taku River Tlingit capacity to implement this Agreement including Shared Decision Making structures, processes and initiatives;
 - 10.6.e \$50,000 on or before July 19, 2021 to support a TRTFN fish and wildlife management program;
 - 10.6.f \$100,000 on or before July 19, 2021 to support Taku River Tlingit capacity and involvement in initiatives related to placer mining;
 - 10.6.g \$100,000 on or before July 19, 2022 to support Taku River Tlingit capacity to implement this Agreement including Shared Decision Making structures, processes and initiatives;
 - 10.6.h \$50,000 on or before July 19, 2022 to support a TRTFN fish and wildlife management program, and;
 - 10.6.i \$100,000 on or before July 19, 2022 to support Taku River Tlingit capacity and involvement in initiatives related to placer mining.
- 10.7 For a further subsequent three (3) year period of the Agreement as per the 2023 Amending Agreement, the Province will provide the TRTFN with an amount not to exceed \$750,000 as follows:
- 10.7.a \$100,000 within 30 days of the 2023 Amending Agreement Effective Date to support Taku River Tlingit capacity to implement this Agreement including Shared Decision Making structures, processes and initiatives;
 - 10.7.b \$50,000 within 30 days of the 2023 Amending Agreement Effective Date to support a TRTFN fish and wildlife management program;
 - 10.7.c \$100,000 within 30 days of the 2023 Amending Agreement Effective Date to support Taku River Tlingit capacity and involvement in initiatives related to placer mining;
 - 10.7.d \$100,000 on or before July 19, 2024 to support Taku River Tlingit capacity to implement this Agreement including Shared Decision Making structures, processes and initiatives;
 - 10.7.e \$50,000 on or before July 19, 2024 to support a TRTFN fish and wildlife management program;
 - 10.7.f \$100,000 on or before July 19, 2024 to support Taku River Tlingit capacity and involvement in initiatives related to placer mining;

- 10.7.g \$100,000 on or before July 19, 2025 to support Taku River Tlingit capacity to implement this Agreement including Shared Decision Making structures, processes and initiatives;
 - 10.7.h \$50,000 on or before July 19, 2025 to support a TRTFN fish and wildlife management program, and;
 - 10.7.i \$100,000 on or before July 19, 2025 to support Taku River Tlingit capacity and involvement in initiatives related to placer mining.
- 10.8 Notwithstanding any other provision of this Agreement, any payment of funds by the Province to the TRTFN for any purposes pursuant to this Agreement is subject to:
- 10.8.a Annual appropriations, as defined in the Province's *Financial Administration Act*, for the fiscal year in which the payment becomes due to enable the Province to make such a payment; and
 - 10.8.b Any Treasury Board, as defined in the Province's *Financial Administration Act*, condition or limitation placed on an expenditure under any appropriation necessary to make such payment.
- 10.9 The obligation to provide funding pursuant to Sections 10.4, 10.5, 10.6, and 10.7 is contingent upon the Province receiving from the TRTFN an annual report and those reports being posted on a public internet site in accordance with Section 11.1 and 11.2.

4. General

4.1 This 2023 Amending Agreement may be signed in counterparts and exchanged by electronic means of transmission. Together all counterparts constitute the 2023 Amending Agreement.

4.2 Except as amended by this 2023 Amending Agreement and the 2020, 2018 and 2015 Amending Agreements, all provisions of the *Wóoshtin yan too.aat* / Land and Resource Management and Shared Decision Making Agreement remain in full force and effect.

In witness whereof the Parties have executed this 2023 Amending Agreement as set out below.

Signed on behalf of the TRTFN, as represented by:

Signed on behalf of His Majesty the King in Right of the Province of British Columbia, as represented by the Minister of Indigenous Relations and Reconciliation:

 Feb 22/24

Spokesperson

Date



Assistant Deputy Minister,
Ministry of Indigenous
Relations and Reconciliation

Mar. 19th, 2024

Date

Signed on behalf of the TRTFN, as represented by:

 Feb 22, 2024

Wolf Clan Director

Date

 Feb. 22/24

Crow Clan Director

Date



Wolf Clan Director

Feb 22, 24

Date



Crow Clan Director

Feb 22/24.

Date