

## ADDITIONAL PERCENTAGE AMENDMENT AGREEMENT

Dated as of April 26, 2012

### BETWEEN:

**HER MAJESTY THE QUEEN IN RIGHT OF THE PROVINCE OF BRITISH COLUMBIA**, as represented by the Minister of Aboriginal Relations and Reconciliation

("British Columbia")

### AND

**Nuxalk Nation**

**Wuikinuxv Nation**

**Metlakatla First Nation**

**Kitasoo Indian Band**

**Heiltsuk Nation**

**Gitga'at First Nation**

**Haisla Nation**

Collectively all the "Parties"

### WHEREAS:

- A. On September 28<sup>th</sup>, 2011, the Gitga'at, Heiltsuk, Kitasoo, Metlakatla, Wuikinuxv, Nuxalk First Nations and British Columbia entered into the Atmospheric Benefit Sharing Agreement;
- B. The Parties amended the Atmospheric Benefits Sharing Agreement to include the Haisla Nation by entering into the Haisla Inclusion Amendment;
- C. The Parties agreed to make best efforts to assess the "second priority" costs referred to in section 3.c.ii of Schedule C of the Reconciliation Protocol, for the calendar years 2009 to 2015;
- D. The Parties have agreed upon amendments to distribute additional Available Atmospheric Benefits;

**NOW THEREFORE** the Parties agree as follows:

1.0 Section 3.2 c) is deleted and replaced with the following:

“c) any additional percentage of the Available Central and North Coast Atmospheric Benefits as agreed upon by the Parties under section 7.2;”

2.0 Section 3.2 d) and 3.2 e) are inserted:

“d) as of the effective date of this Additional Percentage Agreement, 13% of the 2009 and 2010 Available Central and North Coast Atmospheric Benefits; and

e) subject to section 6.6, commencing on April 1, 2012 and on each fiscal year thereafter until April 1, 2016, 30% of the annually calculated Available Central and North Coast Atmospheric Benefits for the previous calendar year.”

3.0 The Parties acknowledge that this Additional Percentage Amendment Agreement satisfies the commitment to provide the second priority allocation specified in section 3.c.ii of Schedule C of the Coastal Reconciliation Protocol.

4.0 Section 8.2 is inserted:

“8.2 The Parties are committed to resolving disputes that may arise in the implementation of this Agreement and may utilize dispute resolution mechanism as agreed to by the Parties including mediation.”

5.0 All other provisions of the Atmospheric Benefit Sharing Agreement, as amended by the Haisla Inclusion Amendment, remain in full force and effect.

6.0 This Agreement may be executed in one or more counterparts and by facsimile. Each facsimile will be deemed to be an original for all purposes, and all counterparts taken together will be deemed to constitute one document.

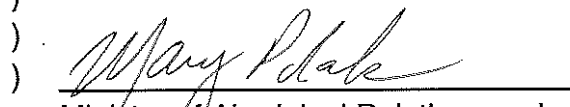
IN WITNESS WHEREOF the Parties have executed this Additional Percentage Agreement as of the date first written above.

EXECUTED in the presence of )


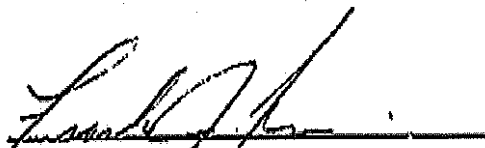
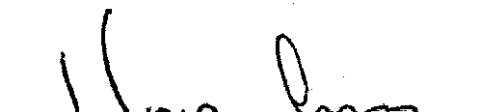
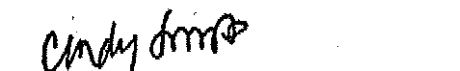
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) as represented by the Minister of  
) Aboriginal Relations and Reconciliation  
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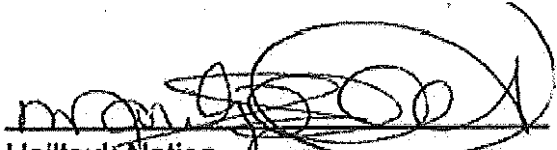


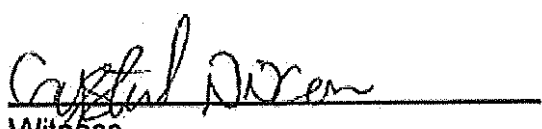
As to the signature of the  
Minister of Aboriginal Relations  
and Reconciliation

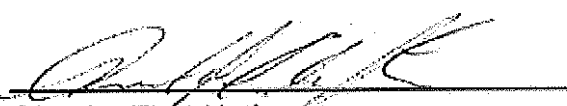
  
Minister of Aboriginal Relations and  
Reconciliation

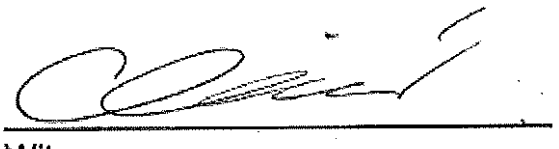
ON BEHALF OF THE FIRST NATIONS, as represented by:

  
Nuxalk Nation  
Witness  
Wuikinuxv Nation  
Witness  
Metlakatla First Nation  
Witness  
Kitaseo Indian Band  
Witness

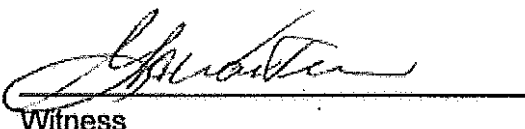
  
Heiltsuk Nation

  
Witness

  
Gitga'at First Nation

  
Witness

  
Haisla Nation

  
Witness