

This Agreement dated for reference the ____ day of _____, 2015.

Amending Agreement

between

THE TAKU RIVER TLINGIT FIRST NATION

as represented by the Spokesperson and a quorum of Clan Directors
(the "TRTFN")

and

**HER MAJESTY THE QUEEN IN RIGHT OF
THE PROVINCE OF BRITISH COLUMBIA**

as represented by the Minister of Aboriginal 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 Province and the TRTFN have agreed to extend funding for the *Wóoshtin yan too.aat / Land and Resource Management and Shared Decision Making Agreement* for an additional three (3) year period;

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

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

- 1.1 This Amending Agreement will take effect on the last date it is signed by the Parties to this Amending Agreement (the "Amending Agreement Effective Date").
- 1.2 This Amending Agreement may be signed in counterparts and exchanged by electronic means of transmission. Together all counterparts constitute the Amending Agreement.
- 1.3 The following definition is added:
 - 1.3.a "**Amending Agreement Effective Date**" means the date the Amending Agreement between the TRTFN and the Province is signed by both Parties;
- 1.4 On and after the Amending Agreement Effective Date, Part 10 of the *Wóoshtin yan too.aat / Land and Resource Management and Shared Decision Making Agreement* is amended, as follows:
 - 1.4.a The following Sections are added immediately after Section 10.3:
 - "10.4. For a subsequent three (3) year period of this 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, processes and initiatives;
- 10.4.c \$50,000 within thirty (30) 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, processes 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, processes and initiatives; and
- 10.4.g \$50,000 on or before July 19, 2016 to support a TRTFN fish and wildlife management program.

1.4.b The following is added as Section 10.7:

“10.7 The obligation to provide funding pursuant to Section 10.4 is contingent upon the Province receiving from the TRTFN an annual report in accordance with Section 11.1.”

1.5 On and after the Amending Agreement Effective Date, Part 11 of the *Wóoshtin yan too.aat / Land and Resource Management and Shared Decision Making Agreement* is amended, as follows:

1.5.a Section 11.1 is replaced with the following:

“11.1 TRTFN will prepare, by June 19 of each year, reports that are in a form agreeable to the Parties and that include a detailed description of how funding provided under this Agreement has been utilized by the TRTFN to assist in implementing this Agreement.”

1.6 On and after the Amending Agreement Effective Date, Part 13 of the *Wóoshtin yan too.aat / Land and Resource Management and Shared Decision Making Agreement* is amended, as follows:

1.6.a Section 13.3 is replaced with the following:

“13.3 This Agreement may be amended in writing as follows:

- a. Any amendment to this Agreement, by agreement of the Parties; or
- b. Upon recommendation by the G2G Forum, any amendment to Appendices B and I, by agreement of the Responsible Officials.

1.6.b Sections 13.4 and 13.5 are deleted.

1.7 On and after the Amending Agreement Effective Date, Part 15 of the *Wóoshtin yan too.aat / Land and Resource Management and Shared Decision Making Agreement* is amended as follows:

1.7.a The following Sections are added immediately after Section 15.4:

“15.5 Where the Agreement is terminated under section 15.4, TRTFN will, where it has received funding from British Columbia to implement this Agreement, remit any unspent funds to British Columbia within thirty (30) days of the withdrawal from this Agreement taking effect.”

“15.6 Where the Agreement is terminated under Sections 15.4, Sections 7.3 and 7.5 of this Agreement (related to Confidentiality and Information-Sharing) survive the termination of this Agreement.”

1.8 On and after the Amending Agreement Effective Date, Part 16 of the *Wóoshtin yan too.aat / Land and Resource Management and Shared Decision Making Agreement* is amended as follows:

1.8.a In section 16.1, by deleting the word “private” after “The position of the Province is that the lands, waters, and resources of British Columbia, subject to certain”;

1.8.b Section 16.4.c is replaced with the following:

“16.4.c Alter or limit the Parties’ constitutional jurisdiction or obligations or limit any position any Party may take in future negotiations or legal proceedings, subject to Section 2.5;”.

1.9 On and after the Amending Agreement Effective Date, Appendix B of the *Wóoshtin yan too.aat / Land and Resource Management and Shared Decision Making Agreement* is replaced by Appendix A of this Amending Agreement.

In witness whereof the Parties hereby execute this Agreement on the _____ day of _____, 2015.

**Signed on behalf of the TRTFN, as
represented by:**

**Signed on behalf of Her Majesty the
Queen in Right of the Province of British
Columbia, as represented by:**

Wolf Clan Director

Minister of Aboriginal Relations and
Reconciliation

Crow Clan Director

Wolf Clan Director

Crow Clan Director

Spokesperson

Appendix A: Revised Engagement Model

Components of the Engagement Model

1. The Engagement Model consists of the following components as set out in this Appendix:
 - (a) Engagement Matrix, including;
 - i. Generalized Activity Types or Sector Specific Activity Types; and,
 - ii. Spatial Reference Layer;
 - (b) Engagement Levels; and
 - (c) Issue Resolution Processes, where necessary.

Engagement Matrix

2. The Engagement Matrix guides Engagement efforts based on the significance of a Proposed Activity (referred to as 'Activity Type') and the sensitivity of resource values or interests that are affected in that location (referred to as 'Spatial Reference Category'):
 - (a) Table 4 defines Sector Specific Activity Types (Types 0 to IV) for Proposed Activities. In the event that there is no Sector Specific Activity Type that applies to a Proposed Activity, and only under those circumstances, then the General Activity Types shown in Table 4 are used.
 - (b) The Spatial Reference Layer (Map B) is used to define the Spatial Reference Category (A to C) based on the location of Proposed Activities (see *Spatial Reference Layer*, and Map B). Where Proposed Activities are not spatially referenced to a discrete location within the SDM Area, the Engagement Level is based only on the Activity Type and the Engagement Matrix does not apply. For Proposed Activities under consideration by the Parties that are located beyond the spatial extent of the Spatial Reference Categories shown on Map B, the Engagement Level is based only on the Activity Type.
 - (c) The Engagement Matrix identifies the proposed Engagement Level (1 to 4) for a particular combination of Activity Type and Spatial Reference Category, as shown in Table 1.
 - (d) For Activity Types '0,' no Engagement is required and the Engagement Matrix does not apply.

Category	Activity Type			
	I	II	III	IV
A	Level 1	Level 2	Level 2	Level 4
B	Level 1	Level 2	Level 3	Level 4
C	Level 2	Level 2	Level 3	Level 4

3. Engagement Levels 1 to 3 consist of one or more of the following steps, as described in detail below and as shown in Table 2:
 - (a) Initiation of Engagement, by the provision and receipt of an information package prepared by a Provincial Agency or TRTFN Department;
 - (b) Confirmation of Engagement Level or process;
 - (c) Information-sharing;
 - (d) Development of Recommendations; and
 - (e) Issue Resolution, where necessary.

Steps	Level 1	Level 2	Level 3
Initiation of Engagement	X	X	X
Confirmation of Engagement process	X	X	X
Information-sharing		X	X
Development of Recommendations (no technical meeting)		X	X
Development of Recommendations (technical meeting)			X
Issue Resolution		X (if required)	X (if required)

4. The Engagement effort required at a given Level is as follows:
 - (a) Level 1 Engagement, or 'notification,' involves one of the Parties providing to the other an information package related to a Proposed Activity or other matter, and a determination by the Parties that no further Engagement is required.
 - (b) Level 2 Engagement involves the provision of an information package by one Party to the other as required under Level 1 and discussions, by phone or in writing, between representatives of the relevant Provincial Agencies and TRTFN Departments to seek consensus on Recommendations.
 - (c) Level 3 Engagement involves all steps required for Level 2 and also more detailed discussions of the Proposed Activity or resource management matter through joint technical meetings of representatives from relevant Provincial Agencies and TRTFN Departments. Such joint technical meetings may be convened with the assistance of the Engagement Coordinators, and will occur at a frequency sufficient to enable the Parties to complete Engagement according to the timelines set out in this Agreement.
 - (d) Level 4 Engagement occurs only at the discretion of the G2G Forum Co-Chairs, and will include the establishment of a joint Working Group to undertake more detailed technical discussions between the Parties, and may include one or more of the following:
 - i. Joint assessments or other studies undertaken on behalf of both Parties, including those required to fulfill the management direction set out in the Atlin Taku Land Use Plan;
 - ii. Coordination with other assessment processes as required by provincial statute; and
 - iii. Development of consensus Recommendations.
5. The Parties share an interest in providing to Applicants a timely response respecting the outcomes of Engagement. For more complex Proposed Activities, the Engagement Coordinators may agree to stage or bundle Engagement at an appropriate Level or Levels to avoid unreasonable delays.
6. If the spatial extent of a Proposed Activity extends across more than one Spatial Reference Category area, the Engagement Coordinators will determine an Engagement Level based upon the proportion and significance of activities proposed in each Spatial Reference Category.
7. When considering Engagement Levels, Representatives may propose to elevate the Engagement Level indicated by the Engagement Matrix, or by agreement lower the Level, based on considerations such as:
 - (a) The potential for the Proposed Activities to exceed a threshold of impacts that may cause significant risk or harm to sensitive ecological or cultural features in a defined area;

- (b) Results of preliminary assessment or operational planning that may indicate the presence of previously unidentified sensitive cultural or ecological features in an area affected by the Proposed Activities;
- (c) Proposed Activities that involve no or minimal risk of new impacts, and where initial similar activities were reviewed through previous Engagement to the satisfaction of the Parties; or
- (d) Evidence of written support for the Proposed Activities from the TRTFN.

Pre-Engagement Interaction with Applicants

- 8. Upon receipt of an Application, prior to initiating Engagement Levels 2 or 3 a Provincial Agency will inform the Applicant of the Shared Decision Making approach between the Parties and will encourage the Applicant to contact the TRTFN, and to share application information directly with the TRTFN at a level of detail commensurate with the scale and scope of Proposed Activities.
- 9. The TRTFN intends that pre-Engagement interaction with an Applicant will serve as an opportunity to build respectful and mutually beneficial working relationships.
- 10. A TRTFN Department will inform a Provincial Agency of the outcomes of discussions between the TRTFN and an Applicant that may occur prior to the submission of an Application.
- 11. Where an Application is supported by the TRTFN in writing, the Engagement Level will be generally be lowered by at least one Level.

Initiation of Engagement for Levels 1 to 3

- 12. A Provincial Agency will initiate Engagement on Proposed Activities by providing to a TRTFN Department an information package that includes the following kinds of information, as applicable:
 - (a) A summary of the Proposed Activities, and relevant Application(s) materials;
 - (b) The identity and contact information of the Applicant that has submitted an Application or the Tenure Holder whose tenure or permit is under consideration;
 - (c) A description of the approximate location of or area affected by the Proposed Activities (including geospatial reference data in the form of a geomark, a GIS shape file or similar), and, if considered necessary at this stage, reference to the relevant management direction set out in the Atlin Taku Land Use Plan or other plans mutually agreed by the Parties;
 - (d) A proposed Engagement Level as indicated by the Engagement Matrix or reflective of an alternative proposed Level as may be considered appropriate;
 - (e) A forecasted timeline with appropriate Information-Sharing and Recommendation due dates;
 - (f) A reference to the relevant Provincial statute(s) and the type of authorization(s) that would flow from potential Provincial decisions respecting the Proposed Activities;
 - (g) The contact information for the Provincial Representative(s) for the purposes of Engagement; and
 - (h) Other relevant available information including known values potentially affected by the proposed activity (e.g. Tlingit Cultural Trails, Wildlife Habitats, Sensitive Ecosystems, etc).
- 13. A TRTFN Department may initiate Engagement on a matter of concern by preparing and providing to the Provincial Engagement Coordinator an information package that includes the following kinds of information, as applicable:
 - (a) A summary of the matter of concern;
 - (b) A description of the kinds of information that may resolve the matter or would support Engagement on the matter;

- (c) If considered necessary at this stage, reference to the relevant management direction, as set out in the Atlin Taku Land Use Plan or other plans mutually agreed by the Parties;
- (d) A proposed Engagement process to advance discussions respecting the matter of concern;
- (e) The contact information for the TRTFN Representative(s) for the purposes of Engagement; and
- (f) Other relevant available information.

Confirmation of an Engagement Process Initiated by the Province

- 14. Within five (5) business days of receipt of the information provided by a Provincial Agency initiating Engagement, the TRTFN Department will respond by:
 - (a) Indicating agreement with the proposed Engagement Level (1 to 4), in which case that Level ensues;
 - (b) Proposing to elevate the Engagement Level by one Level, up to and including Level 3, in which case that Level ensues;
 - (c) Proposing to lower the Engagement Level, or agreeing with a Provincial Agency proposal to do so, in which case that Level ensues; or
 - (d) In exceptional circumstances, bringing the matter to the attention of the Engagement Coordinators.
- 15. In the event that the TRTFN Department confirms that Engagement Level 1 is appropriate, no further Engagement is required.
- 16. Engagement may only be elevated to Level 4 by agreement of the G2G Forum Co-Chairs.
- 17. In its response the TRTFN Department will identify its representative for the purposes of Engagement (Level 2 to 4).
- 18. If a TRTFN Department does not confirm an Engagement Level within five (5) business days:
 - (a) If Level 1 was proposed, no further Engagement efforts are required.
 - (b) If Level 2 or 3 was proposed, the subsequent step for that Level will ensue.

Confirmation of an Engagement Process Initiated by the TRTFN

- 19. Within ten (10) business days of the receipt of information provided by a TRTFN Department initiating Engagement, or of the date that a matter is brought to the attention of the Engagement Coordinators, the Engagement Coordinators will:
 - (a) Review the information package together;
 - (b) Facilitate the exchange of further information as needed; and
 - (c) Attempt to reach agreement on a Recommendation respecting a process to address the matter, which may include bringing the matter to the attention of the G2G Forum Co-Chairs.
- 20. If the Provincial Engagement Coordinator does not respond within ten (10) business days of the receipt of information from a TRTFN Department initiating Engagement, the matter may be brought to the attention of the G2G Forum Co-Chairs for direction.

Information-Sharing for Engagement Levels 2 to 3

- 21. A TRTFN Department will review information provided by a Provincial Agency and will within fifteen (15) business days of receipt provide to the identified Provincial Representative an information package that includes:
 - (a) A description of Taku River Tlingit interests, including Aboriginal Rights, which may be impacted by the Proposed Activities; and
 - (b) Preliminary proposed options to address such potential impacts.

22. If the TRTFN Department does not share such information, the Provincial Agency may proceed without further Engagement efforts but will give full consideration to relevant known information respecting Taku River Tlingit interests when considering Proposed Activities.

Development of Recommendations for Engagement Levels 2 to 3

23. Upon receipt of an information package in the Information-Sharing step, the identified Provincial Agency and TRTFN Department Representatives will review available and relevant information, and will engage in discussions, appropriate to the Engagement Level, during which they will make reasonable efforts to reach consensus on Recommendations respecting Proposed Activities.
24. In developing Recommendations, the Representatives will consider and where necessary address some or all of the following:
- (a) Applicable laws, policies, or customs of the Parties;
 - (b) The purposes and intended outcomes of this Agreement;
 - (c) Consistency with the vision, guiding principles and management direction in the Atlin Taku Land Use Plan or other plans mutually agreed by the Parties;
 - (d) Compatibility with any other agreements between the Parties;
 - (e) Potential environmental, social and economic effects or benefits;
 - (f) Potential impacts of Proposed Activities on Taku River Tlingit Aboriginal Rights, and any proposed measures to accommodate such rights; and
 - (g) Other relevant information as mutually agreed by the Parties.
25. The timelines for completing Recommendations are:
- (a) For Level 2, fifteen (15) business days; and
 - (b) For Level 3, thirty (30) business days.
26. Where the Representatives identify issues that cannot be meaningfully addressed within the scope of decisions respecting particular Proposed Activities, such issues may be brought to the attention of the Engagement Coordinators. Such issues may include:
- (a) Concerns respecting substantive impacts of past activities or decisions;
 - (b) Policy issues or matters of a regional nature; or
 - (c) Other matters as agreed by the Representatives.
27. With respect to issues identified in Article 26, the Engagement Coordinators will:
- (a) Review the issue together;
 - (b) Facilitate the exchange of further information as needed; and
 - (c) Attempt to reach agreement on a Recommendation respecting a process to address the issue, which may include bringing the matter to the attention of the G2G Forum.
28. Unless an issue is referred to the Issue Resolution process, the provision of Recommendations to the Parties by the Representatives constitutes the completion of the Engagement process.
29. It is the understanding of the Parties that after the Engagement has been completed, each Party will consider all relevant information and Recommendations related to each Proposed Activity and will proceed to make its own decision respecting the Proposed Activity.
30. Either Party will, upon request, communicate with the other to confirm the outcomes of their considerations and the accompanying rationale for Levels 2 to 4 pursuant to Article 29.

Level 4 Engagement

31. On being advised by an Engagement Coordinator of a Proposed Activity that meets the criteria for Level 4, either G2G Forum Co-Chair will notify the other G2G Forum Co-Chair of the Proposed Activity as soon as possible and such notification will constitute the initiation of Engagement respecting the Proposed Activity.
32. Following such notification:

- (a) The Provincial Forum Co-Chair will share the following information with the TRTFN as soon as is feasible:
 - i. The general location and the nature of the Proposed Activities;
 - ii. The types of Provincial authorizations that may be required for the Proposed Activities; and
 - iii. The Provincial Agencies that may be involved in Provincial authorizations for the Proposed Activities.
 - (b) The TRTFN Forum Co-Chair will share relevant information respecting the status and outcomes of any discussions between the TRTFN and an Applicant respecting the Proposed Activities as soon as is feasible.
 - (c) The G2G Forum Co-Chairs will, within twenty (20) business days of the notification above, establish a Level 4 Working Group under its direction and convene an initial meeting of that Working Group to discuss:
 - i. Initial views on the potential impacts of the Proposed Activities, including potential impacts on Taku River Tlingit Aboriginal Rights;
 - ii. Initial views on the potential benefits of the Proposed Activities to the Taku River Tlingit and others;
 - iii. Information requirements and measures to support ongoing information sharing;
 - iv. Workplanning for further Level 4 Working Group activities with respect to the development of process Recommendations for Engagement respecting the review of Proposed Activities; and
 - v. Other matters as agreed by the G2G Forum Co-Chairs.
33. The Level 4 Working Group will attempt to develop process Recommendations for Engagement respecting the Proposed Activities in consideration of the topics for discussion above, or will refer the matter to the G2G Forum for its consideration.
34. The timeline for completion of Engagement process Recommendations is forty-five (45) business days of the initial meeting.

Considerations for Engagement Process Recommendations for Advanced Mineral Sector Activities

35. Where a mining project is taken up by the Northwest Mine Development Review Committee (MDRC), the Parties agree as follows:
36. Representatives of the Parties will participate as active members of the MDRC which will serve as the primary venue for Engagement on technical matters related to mine development such as:
- (a) Development, closure and reclamation planning;
 - (b) Coordinating Environmental Assessment certificate conditions in mine permits and concurrent permitting;
 - (c) Meeting standards and statutory permitting requirements;
 - (d) Public consultation; and
 - (e) Other matters by mutual agreement.
37. The G2G Forum will also establish or continue an existing Level 4 Working Group to deal specifically with the project.
38. The Level 4 Working Group established under Article 37 will deal with issues such as:
- (a) Potential impacts of Proposed Activities on Taku River Tlingit Aboriginal Rights or interests;
 - (b) Recommendations for accommodation that cannot be delivered through technical means;
 - (c) Potential arrangements to negotiate revenue sharing;
 - (d) Discussions of a specific matter being dealt with at the MDRC where either Party determines that this government-to-government discussion will foster resolution of the matter at the MDRC; and

- (e) Other matters by mutual agreement.
39. Representatives of the MDRC and the Level 4 Working Group will:
- (a) Integrate the participation, timelines and work plans of the Working Group and MDRC so that their activities are coordinated; and
 - (b) Coordinate the outputs of the Level 4 Working Group and MDRC so as to ensure that Recommendations from both groups can be delivered in a seamless and timely manner to decision makers.
40. In the event that the Representatives of the MDRC and the Level 4 Working Group cannot reach agreement pursuant to Article 39 above, they may seek the assistance of the G2G Forum Co-Chairs to resolve the matter in a manner consistent with Articles 55 to 58 of the Issue Resolution Process.

Considerations for Proposed Activities Subject to the *Environmental Assessment Act*

Pre-environmental Assessment Process

41. An Engagement Coordinator, on becoming aware of a potential major project that may enter a provincial environmental assessment process or other assessment process, will notify the other Engagement Coordinator of the project as soon as possible.
42. Following notification under Article 41, the Provincial Engagement Coordinator will provide the following information, if known, to the TRTFN:
- (a) The name of the proponent, the general location and the nature of the activities proposed;
 - (b) The types of authorizations that may be required for the project; and
 - (c) The Provincial Agencies that may be involved in providing required authorizations for the project.
43. Unless the G2G Forum decides it is premature or not required, the G2G Forum will establish a Working Group following notification under Article 41 to identify the following:
- (a) Potential impacts of the proposed project on Taku River Tlingit Aboriginal Rights;
 - (b) Potential impacts and benefits of the proposed project to the Taku River Tlingit;
 - (c) Potential measures to accommodate impacts;
 - (d) Information requirements and measures to support continuous information sharing;
 - (e) The process for transitioning between the environmental assessment process and the Engagement process undertaken by Provincial Agencies in relation to authorizations; and
 - (f) Resources required, including the financial resources to support TRTFN participation in the Engagement process.
44. After a proposed project has entered the environmental assessment process under the *Environmental Assessment Act*, the G2G Forum may:
- (a) Establish a Working Group for that project; or
 - (b) Direct a Working Group that has already been established under Article 43 for that project to continue to address the information requirements and the process for transitioning set out in Article 43 and any other matters outside the mandate of the Environmental Assessment Office as determined by that Office.

Reviewable Projects Under the *Environmental Assessment Act*

45. For an application for an environmental assessment certificate under the *Environmental Assessment Act*:
- (a) Engagement Levels 1 to 4 do not apply;
 - (b) Applicable statutes, regulations, policies, and common law, including the Crown's duty to consult and accommodate, continue to apply;

- (c) This Agreement does not affect or prejudice any Party's position or views on the assessment processes or the Crown's duties in respect of environmental assessments; and
 - (d) Upon request from the G2G Forum, the Executive Director of the Environmental Assessment Office or his/her delegate will meet with the G2G Forum Co-Chairs to outline proposals regarding the procedures and methods for review of an application under the *Environmental Assessment Act* and will consider any Recommendations from the G2G Forum with respect to the procedures or methods for review.
46. Where a project is subject to Environmental Assessment under the *Environmental Assessment Act*, Engagement Levels 1 to 4 continue to apply to all other Applications with respect to that project.

Spatial Reference Layer

47. The Spatial Reference Category that will apply for a Proposed Activity will be determined by the location of that Proposed Activity relative to the areas depicted on Map B.
48. The delineation of Spatial Reference Categories is based on the attributes as set out in Table 4.
49. Map B also identifies, for reference purposes only, high value wildlife habitat areas that may be particularly susceptible to disturbance from land use activities, and for which particular management objectives or implementation direction are set out in Section 6.3 the Atlin Taku Land Use Plan.
50. The Parties may by mutual agreement amend Map B to extend its spatial coverage beyond the Atlin Taku Land Use Area.

Table 3: Attributes of Spatial Reference Categories			
Attributes	Category A	Category B	Category C
1 km buffer around selected lakes			X
Critical Aquatic Habitat Areas ¹			X
Salmon Ecosystem Management Areas ²			X
Category A, B or C Cultural Sites ³			X
BC Archaeological Sites with 200m buffers			X
Nakina Trail with 2km buffer either side			X
Rare and Sensitive Ecosystems ⁴			X
Taku River Tlingit Potential Land Selection Areas			X
Tlatsini Areas ⁵		X	
Area Specific Resource Management Zones ⁶		X	
Areas not included above	X		

¹ As defined in Section 6.2.4 of the Atlin Taku Land Use Plan.
² As defined in Section 6.2.4 of the Atlin Taku Land Use Plan.
³ As defined in Section 6.4 and Appendix E of the Atlin Taku Land Use Plan.
⁴ As defined in Section 6.3.4.2 of the Atlin Taku Land Use Plan.
⁵ Tlatsini areas have been identified by the Taku River Tlingit as “places that makes us strong” and are delineated on a map by that name released by the TRTFN in July 2009.
⁶ As defined in Section 7 of the Atlin Taku Land Use Plan.

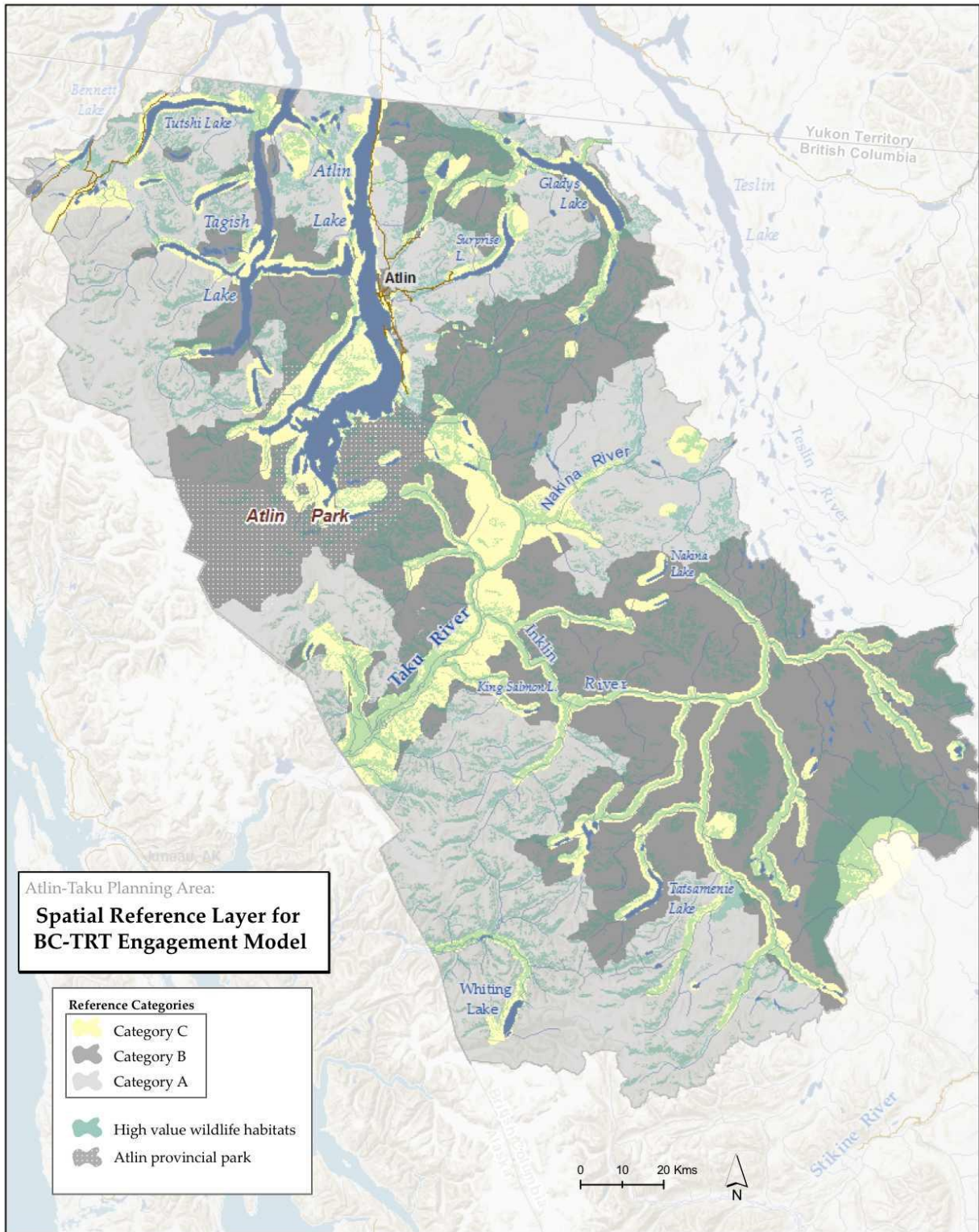
Issue Resolution Process

51. The Parties intend that Engagement Level elevation options are the primary means by which issues will be resolved, thereby minimizing the need for the additional Issue Resolution steps below.
52. If despite reasonable efforts Representatives are unable to reach consensus on a matter of substance related to a particular Recommendation on Proposed Activities within the timelines for the applicable Level, either Party may refer the issue to the Issue Resolution process described below.
53. The Representatives will:
 - (a) Notify the Engagement Coordinators of the impasse; and
 - (b) Exchange, a full written description of the substantive issue that is unresolved, and any proposed specific actions that could be taken to address the issue.
54. Within ten (10) business days of the receipt of the written descriptions, the Engagement Coordinators will convene an issue resolution meeting specifically to discuss the written descriptions and attempt to resolve the issue(s) and reach agreement on the Recommendations.
55. If an issue remains unresolved after the issue resolution meeting, the G2G Forum Co-Chairs will make reasonable and expedient efforts to resolve the issue, and may:
 - (a) By mutual agreement, arrange for further discussion at the G2G Forum; and
 - (b) Consult as appropriate with Responsible Officials or other senior representatives.
56. If an issue remains unresolved after the G2G Forum's efforts at resolution, each Party will notify the other in writing of the outstanding points of disagreement for information purposes.
57. Following this notification, the Parties will review the Representatives' Recommendations and other relevant information, and may notify the other Party that it will proceed to consider the recommendations and all written documentation of the Issue Resolution process, and proceed to make a decision without further Engagement efforts.
58. Such notification constitutes the completion of Engagement.

Modification of Timelines

59. If a Provincial Agency or TRTFN Department is unable to carry out Engagement steps within the timelines defined under the Engagement Model, that Party may notify the other of the reasons for the timeline issue and request an extension. The Parties may by mutual agreement extend the timeline for that step.
60. If at the end of a mutually agreed extended timeline the requesting Party has still not carried out the steps, the other Party may consider proceeding without further Engagement efforts.

Map B: Spatial Reference Layer



Activity Tables

	Activity Type 0	Activity Type I	Activity Type II	Activity Type III	Activity Type IV
Mineral Exploration & Development	<p>Non-mechanized activities legally permitted without provincial authorization including:</p> <ul style="list-style-type: none"> Exploration grid lines with no felling of trees (except danger trees) Prospecting/hand sampling without the use of explosives Geochemical surveys Portable camp established for no more than two weeks at any given location Ground geophysical surveys without use of exposed energized electrodes Airborne surveys Emergency measures required for the protection of life and property (a follow up report may be provided upon request) 	<p>Mechanized mineral exploration work in previously disturbed areas⁷, including one or more of the following activities:</p> <ul style="list-style-type: none"> Drilling, trenching, or test-pitting with or without the use of explosives Reopening of existing roads or trails within or to the mineral property provided that such roads have been actively used within the previous 15 years Camp established in previously disturbed area Geophysical survey including energized electrodes Underground exploration with no new surface dumps Mineral exploration, placer, or construction aggregate on private land Existing placer mining operations Helicopter supported drilling requiring no felling of trees 	<p>Mechanized mineral exploration work in previously undisturbed areas, including one or more of the following activities:</p> <ul style="list-style-type: none"> New drill pads Trenching or test pitting with or without the use of explosives Construction of new roads or trails within or to the mineral property or the reopening of pre-existing roads that have been inactive for more than 15 years Camp established in previously undisturbed areas Bulk sample less than 1,000 tonnes of mineralized rock or 5,000 tonnes of coal Underground exploration with new surface dumps New dimension stone quarry 	<p>Mechanized mineral exploration work with potentially significant water quality or other impacts, including one or more of the following activities:</p> <ul style="list-style-type: none"> New or reopened roads with known access issues New access development linking property to existing road system where previously property was only air or water accessible. Bulk sample greater than 1000 tonnes of mineralized rock or 5000 tonnes of coal Construction of a pilot plant New underground development for mineral exploration purposes New placer mining operations on previously undisturbed ground 	<ul style="list-style-type: none"> Advanced mechanized work, including mine development, upon being taken up by the Northwest Mine Development Committee Any industrial access into the Taku Watershed⁸
Land Tenuring	<ul style="list-style-type: none"> Minor administrative applications that are clerical in nature and that will have no impact on the interests of the TRTFN or land and resource values Emergency measures required for the protection of life and property (a follow up report may be provided upon request) 	<p>Activities with no or negligible new ground disturbance or effect on other uses, including one or more of the following types of activities:</p> <ul style="list-style-type: none"> Activities requiring investigative permits Communication sites and associated buildings with less than 1 ha site footprint and no new road access Navigation aids, including beacons 	<p>Activities with potential for new ground disturbance or effect on other uses, including one or more of the following types of activities:</p> <ul style="list-style-type: none"> Administrative applications including amendments to existing tenures, licenses, or permits where there are low to moderate new impacts Gravel pits or quarries with annual production <200,000 tonnes 	<p>Sub –EA reviewable activities with potential for significant new ground disturbance or effects on other uses, including one or more of the following types of activities:</p> <ul style="list-style-type: none"> Administrative applications including amendments to existing tenures, licenses, or permits where there are significant new impacts Gravel pits or quarries with 	<ul style="list-style-type: none"> New wilderness lodges Industrial parks outside of the Atlin Community Area Fee simple transfers of previously un-tenured lands Gravel pits or quarries with annual production of >500,000 tonnes

⁷ “Previously disturbed areas” means areas that have been subject to surface disturbance within the previous fifteen years or areas that were glaciated within the previous one hundred years.

⁸ See requirements for a joint evaluation and an access management plan for proposed industrial access into the Taku Watershed, as set out in Section 6.1.4 of the Atlin Taku Land Use Plan.

Table 4: General and Sector Specific Activity Types

	Activity Type 0	Activity Type I	Activity Type II	Activity Type III	Activity Type IV
		<ul style="list-style-type: none"> ▪ Work permits for existing infrastructure or with no incremental disturbance footprint ▪ Reserves for environmental, conservation, or recreational uses ▪ Transfers of administration between Provincial Agencies ▪ Establishment of Map Reserves in which a higher level of engagement is required prior to development. ▪ For administrative applications including scheduled renewals of existing tenures, licenses, or permits where there are no new or incremental impacts or effects on other uses, Engagement will occur annually on a batched basis, in advance of replacement 	<ul style="list-style-type: none"> ▪ Communication sites and associated buildings with more than 1 ha site footprint and/or new road access ▪ New roads less than 2 km in length ▪ New utility rights-of-way less than 2 km in length ▪ Commercial recreation involving non-motorized light-impact extensive uses, including river rafting, backcountry hiking, and guided nature tours ▪ Community, or institutional uses ▪ General commercial in developed areas ▪ Light industrial activities, such as log landings and work camps ▪ Residential licenses 	<p>annual production of 200,000 to 500,000 tonnes</p> <ul style="list-style-type: none"> ▪ Power projects, including water and wind power projects at the development application stage ▪ New roads greater than 2 km in length ▪ New utility rights-of-way greater than 2 km in length ▪ Commercial recreation involving motorized or intensive uses, including heli-skiing ▪ Intensive agriculture in an area less than 15 ha ▪ General commercial outside of developed areas ▪ Fee simple transfers of previously tenured lands ▪ Heavy industrial activities, such as industrial parks, within the developed area 	
Wildlife Management	<p>Proposed Activities with no new or incremental likelihood of implications for wildlife populations or harvest levels, e.g.:</p> <ul style="list-style-type: none"> ▪ CITES, animal export, wildlife rehabilitation and release, captive animal, possession/ownership of dead wildlife, fur trader licences, fish pond permits, miscellaneous permits ▪ General regulations (e.g., determinations of fees, royalties, eligibility requirements, fines/penalties, issuance of hunting licences, permits to accompany, issuance of angling guide and assistant angling guide licenses) ▪ Administrative decisions (e.g., S.61 hearings, Environmental Appeal Board appeals) 	<p>Proposed Activities with low likelihood of implications for wildlife populations, or Proposed Activities with potential but likely not significant implications for harvest levels, e.g.:</p> <ul style="list-style-type: none"> ▪ Removal of beaver dams, capture or collection of wildlife ▪ New authorizations for external agencies (e.g., permits for research and fish collection, wildlife viewing) occurring in the SDM Area ▪ Transfer of traplines and registrations ▪ Notations of Interest for trappers' cabin sites <p>Annually, the following reports will be provided:</p> <ul style="list-style-type: none"> ▪ List of problem animals removed or attempted to be moved ▪ An updated list of licensed trappers ▪ Summary of trapping returns for the previous year 	<p>Proposed Activities with potentially significant implications for wildlife populations, sub-populations or harvest levels, for example:</p> <ul style="list-style-type: none"> ▪ Transfer of a g/o certificate and new g/o certificates 	<ul style="list-style-type: none"> ▪ Disposal of vacant G/O Territory ▪ New traplines 	

Table 4: General and Sector Specific Activity Types					
	Activity Type 0	Activity Type I	Activity Type II	Activity Type III	Activity Type IV
	<ul style="list-style-type: none"> Emergency measures required for the protection of life and property (a follow up report may be provided upon request) 	<ul style="list-style-type: none"> An updated list of licensed Guide Outfitters 			
Protected Areas	<p>Regular maintenance of public facilities</p> <p>Emergency measures required for the protection of life and property (a follow up report may be provided upon request)</p>	<ul style="list-style-type: none"> New public facilities (e.g. pit toilet) For administrative applications such as scheduled replacements of existing permits where there are no new or incremental impacts, Engagement will occur annually on a batched basis, in advance of replacement, and subject to Appendix H (Review of Tenures in Proposed Protected Areas) Research activities not involving site alteration or disturbance Management actions for protection of ecosystems (e.g. danger tree falling). 	<ul style="list-style-type: none"> Research activities involving site alteration or disturbance Commercial recreation using existing facilities Short-term (use lasting less than six months) and non-motorized commercial recreation Grazing permits for recreational guiding New Communication sites Permit modification and permit renewal with modifications 	<ul style="list-style-type: none"> Commercial recreation involving new facilities Small/compact new facilities (e.g. huts, cabins) Ongoing (use lasting more than six months) and motorized commercial recreation (including heli-skiing and boat tours) Small-scale water- or windpower projects (local use) Amendments to management plans 	<p>Applications for proposed activities not previously addressed in management plans, including:</p> <ul style="list-style-type: none"> Major facility development (e.g. lodges) or new facilities with extensive use area Proposed access development (roads or rights-of-way) New guide-outfitting or trapping operations within protected areas
Forestry	<ul style="list-style-type: none"> Operational harvesting activities for volumes less than 500 m³ Administrative decisions Emergency measures required for the protection of life and property (a follow up report may be provided upon request) <p>Upon request, engagement may occur through a review of reported activities on a batched basis.</p>	<ul style="list-style-type: none"> For operational harvesting activities for volumes over 500 m³, Engagement will occur through an annual review of the previous year's activities, on a batched basis. 			
General Activity Types (to be used only for Proposed Activities for which Sector	<ul style="list-style-type: none"> Minor administrative applications that are clerical in nature and that will have no impact on the interests of the TRTFN or land and resource values Activities that are legally permitted without provincial 	<ul style="list-style-type: none"> Short-term or seasonal activities No or minor new surface disturbance, or new minor to moderate ground disturbance in previously disturbed areas No new permanent access⁹ No or very small permanent 	<ul style="list-style-type: none"> New minor to moderate surface disturbance in previously disturbed areas Minor new permanent access Temporary or small new permanent infrastructure Semi-exclusive tenures (potential to 	<ul style="list-style-type: none"> Moderate to significant new ground disturbance Moderate new permanent access Moderate to large new permanent infrastructure Exclusive tenures (likely to limit other land uses) 	<ul style="list-style-type: none"> Major new ground disturbance Significant new permanent access (expands permanent access network) or any industrial access into the Taku Watershed¹² Large or extensive new

⁹ “Permanent access” means access infrastructure (e.g. trails, roads, power lines) for which restoration after use is not contemplated as part of an Application or management plan.

Table 4: General and Sector Specific Activity Types					
	Activity Type 0	Activity Type I	Activity Type II	Activity Type III	Activity Type IV
Specific Activity Types are not provided above)	<p>authorization</p> <ul style="list-style-type: none"> Emergency measures required for the protection of life and property (a follow up report may be provided upon request) 	<p>infrastructure</p> <ul style="list-style-type: none"> Non-exclusive tenures¹⁰ Administrative applications¹¹ regarding existing tenures where there are no historic issues and no new impacts No or negligible risk to fish or wildlife populations or habitat No or negligible/ temporary risk of impacts to air quality or water quality and quantity 	<p>limit some other land uses)</p> <ul style="list-style-type: none"> Administrative applications regarding existing tenures where there are potential historic issues and no low-to-moderate new impacts Low risk to fish or wildlife populations or habitat Low or short-term risk of impacts to air quality or water quality and quantity 	<ul style="list-style-type: none"> Administrative applications regarding existing tenures where there are identified historic issues and moderate-to-significant new impacts Moderate to high risk to wildlife or fish populations or habitat Moderate or medium-term to high risk of impacts to air quality or water quality and quantity 	<p>permanent infrastructure</p> <ul style="list-style-type: none"> Significant risk of harm to fish or wildlife populations or habitat Significant or long-term risk of impacts to air quality or water quality and quantity

¹² See requirements for a joint evaluation and an access management plan for proposed industrial access into the Taku Watershed, as set out in Section 6.1.4 of the Atlin Taku Land Use Plan.

¹⁰ “**Exclusive tenure**” means a tenure that provides security to the tenure-holders by limiting the uses of the tenured area by persons other than the tenure-holder.

¹¹ “**Administrative application**” means an application regarding an existing authorization, such as a renewal, replacement, assignment or transfer of the authorization.