

DECISION NOTE

DATE: April 18, 2024

PREPARED FOR: Honourable George Heyman, Minister of Environment and Climate Change Strategy
Honourable Nathan Cullen, Minister of Water, Land and Resource Stewardship
Honourable Josie Osborne, Minister of Energy, Mines and Low Carbon Innovation
Honourable Bruce Ralston, Minister of Forests

ISSUE: Amending the Intergovernmental Partnership Agreement for the Conservation of the Central Group of the Southern Mountain Caribou and Next Steps in Implementation

RECOMMENDED OPTION:

s. 13

BACKGROUND:

- The Intergovernmental Partnership Agreement for the Conservation of the Central Group of the Southern Mountain Caribou (the Partnership Agreement) was signed by the Province of British Columbia, Canada, Saulteau First Nations and West Moberly First Nations (the Parties) on February 21, 2020.
- The Partnership Agreement commits the Parties to agree on permanent measures to protect the area known as Zone B3 (e.g. as a provincial park).
- The Partnership Agreement was amended by agreement on December 16, 2022, to make adjustments to the boundaries defined in the Partnership Agreement.
- s. 16

This document may contain information that is protected by solicitor client privilege. Prior to any disclosure of this document outside of government, including in response to a request under the *Freedom of Information and Protection of Privacy Act*, the ministry in possession of this document must consult with the lawyer responsible for the matter to determine whether information contained in this document is subject to solicitor client privilege.

DISCUSSION:

s. 13, s. 14, s. 16

s. 13, s. 16

s. 13, s. 14

s. 13, s. 14, s. 16

s. 13, s. 14, s. 16

This document may contain information that is protected by solicitor client privilege. Prior to any disclosure of this document outside of government, including in response to a request under the *Freedom of Information and Protection of Privacy Act*, the ministry in possession of this document must consult with the lawyer responsible for the matter to determine whether information contained in this document is subject to solicitor client privilege.

s. 13, s. 16

s. 13, s. 16

s. 13, s. 16

s. 13

s. 13, s. 17

OPTIONS:

s. 13

s. 13, s. 16

s. 13, s. 16

This document may contain information that is protected by solicitor client privilege. Prior to any disclosure of this document outside of government, including in response to a request under the *Freedom of Information and Protection of Privacy Act*, the ministry in possession of this document must consult with the lawyer responsible for the matter to determine whether information contained in this document is subject to solicitor client privilege.

RECOMMENDATION:

Approved / Not Approved:

April 30, 2024

Honourable George Heyman

Date

Approved / Not Approved:



May 22, 2024

Honourable Nathan Cullen

Date

Approved / Not Approved:

May 23, 2024

Honourable Josie Osborne

Date

Approved / Not Approved:



May 22, 2024

Honourable Bruce Ralston

Date

This document may contain information that is protected by solicitor client privilege. Prior to any disclosure of this document outside of government, including in response to a request under the *Freedom of Information and Protection of Privacy Act*, the ministry in possession of this document must consult with the lawyer responsible for the matter to determine whether information contained in this document is subject to solicitor client privilege.

Attachments:

1. Second Amending Agreement draft dated April 18, 2024
2. Replacement Supplemental Agreement draft dated April 17, 2024
3. Updated map and description of the zones of the Caribou Partnership Agreement
4. Previous Decision Note dated September 23, 2022

Assistant Deputy Minister:

Jim Standen
BC Parks, Recreation Sites and Trails
ENV
250 387-1288

Assistant Deputy Minister:

Jennifer Psyllakis
Resource Stewardship Division
WLRS
250 387-5657

Assistant Deputy Minister:

Tania Demchuk
Responsible Mining and
Competitiveness Division, EMLI
778 698-7222

Assistant Deputy Minister:

Mike Hykaway
Regional Operations, North Area
FOR
778 698-2367

Alternate contact for content:

Brett Hudson
PSB, BC Parks
778 974-4823

Prepared by:

Jennifer Eliason
PSB, BC Parks
778 974-4354

This document may contain information that is protected by solicitor client privilege. Prior to any disclosure of this document outside of government, including in response to a request under the *Freedom of Information and Protection of Privacy Act*, the ministry in possession of this document must consult with the lawyer responsible for the matter to determine whether information contained in this document is subject to solicitor client privilege.

**SECOND AMENDING AGREEMENT TO THE INTERGOVERNMENTAL
PARTNERSHIP AGREEMENT FOR THE CONSERVATION OF THE CENTRAL
GROUP
OF THE SOUTHERN MOUNTAIN CARIBOU**

BETWEEN

HIS MAJESTY THE KING IN RIGHT OF CANADA,
as represented by the Minister of the Environment
("Environment and Climate Change Canada" or "ECCC")
("**Canada**")

- And -

**HIS MAJESTY THE KING IN RIGHT OF THE PROVINCE OF
BRITISH COLUMBIA,** as represented by the Minister of Forests, the Minister of Water,
Land and Resource Stewardship, the Minister of Environment and Climate Change
Strategy, and the Minister of Energy, Mines and Low Carbon Innovation
("**BC**" or "**British Columbia**")

- And -

SAULTEAU FIRST NATIONS,
a "band" within the meaning of subparagraph 2(1) of the *Indian Act*, R.S.C.
1985, c. I-5, as represented by its Chief and Council
("**Saulteau**")

- And -

WEST MOBERLY FIRST NATIONS,
a "band" within the meaning of subparagraph 2(1) of the *Indian Act*, R.S.C.
1985, c. I-5, as represented by its Chief and Council
("**West Moberly**")

(Collectively the "**Parties**", and individually a "**Party**")

WHEREAS

- A. On February 21, 2020, the Parties entered into the *Intergovernmental Partnership Agreement for the Conservation of the Central Group of the Southern Mountain Caribou* and on December 16, 2022, the Parties entered into the Amending Agreement to the Intergovernmental Partnership Agreement for the Conservation of the Central Group (together the "Partnership Agreement");
- B. The Partnership Agreement provides for the establishment of new protected areas, the boundaries of which are identified, defined, and mapped in the Partnership Agreement;

- C. The Parties have identified adjustments that they wish to make to the boundaries of the protected areas identified, defined, and mapped in the Partnership Agreement; and
- D. The Parties desire to amend the Partnership Agreement in accordance with section 90 of the Partnership Agreement.

NOW THEREFORE the Parties mutually agree as follows:

1. The Partnership Agreement is amended:
 - 1.1 By deleting Map 1 Caribou Recovery Area – Zone Map attached to the Partnership Agreement and replacing with the Map 1 Scope and Zones of the Partnership Agreement, dated April 2024 attached to this Second Amending Agreement as Schedule A.
 - 1.2 By deleting the date in section 9(2) which reads: “2021-06-21” and replacing it with the date: “2024-02-28”:

“For greater certainty, the Zones depicted on Map 1 are the same as those reflected in the digital files dated 2024-02-28, available at the following internet link:
<https://www.for.gov.bc.ca/ftp/HTH/external/!publish/Caribou%20Recovery%20Program/Shapefiles/> . The link may be updated from time to time. If there is any discrepancy between Map 1 and the digital files, the digital files shall prevail.”
2. All clauses of the Partnership Agreement and Schedules to the Partnership Agreement which are not amended by this Second Amending Agreement will remain in full force and effect.
3. If any question or dispute arises between the Parties hereto over any provision of this Second Amending Agreement or the interpretation thereof on its effect, Sections 60 and 61 of the Partnership Agreement will apply.
4. No member of the Parliament of Canada will hold, enjoy, or be admitted to any share or part of any contract, agreement, commission, or benefit arising out of this Second Amending Agreement.
5. This Second Amending Agreement is binding upon the Parties.
6. This Second Amending Agreement may be entered into by each Party signing a separate copy of this Amending Agreement (including a photocopy or facsimile copy) and delivering it to the other Parties by facsimile transmission or email. All executed counterparts taken together will constitute one agreement.

7. This Second Amending Agreement will be effective as of the date of the last signature affixed hereto.

IN WITNESS WHEREOF, the Parties hereto have executed and delivered this Second Amending Agreement by their duly authorized representatives as follows:

Saulteau First Nations

By: _____
(print name)

Title: _____
(print title)

Signature: _____

Signed this ____ day of _____, 2024

West Moberly First Nations

By: _____
(print name)

Title: _____
(print title)

Signature: _____

Signed this ____ day of _____, 2024

**His Majesty the King in Right of
Canada**, as represented by the Minister of
the Environment

By: _____
(print name)

Title: _____
(print title)

Signature: _____

Signed this ____ day of _____, 2024

**His Majesty the King in right of the
Province British Columbia**, as
represented by the Minister of Forests

By: Hon. Bruce Ralston
(print name)

Title: Minister of Forests
(print title)


Signature:  _____

Signed this 22 day of May, 2024

**His Majesty the King in right of the
Province British Columbia**, as
represented by the Minister of
Environment and Climate Change Strategy

By: George Heyman
(print name)

Title: Minister of Environment and Climate Change Strategy
(print title)

Signature: 

Signed this 30 day of April, 2024

**His Majesty the King in right of the
Province British Columbia**, as
represented by the Minister of Energy,
Mines and Low Carbon Innovation

By: Josie Osborne
(print name)

Title: Minister of Energy, Mines and Low Carbon Innovation
(print title)

Signature: _____

Signed this 23 day of May, 2024

**His Majesty the King in right of the
Province British Columbia**, as
represented by the Minister of Water, Land
and Resource Stewardship

By: Nathan Cullen
(print name)

Title: Minister of Water, Land and Resource Stewardship
(print title)

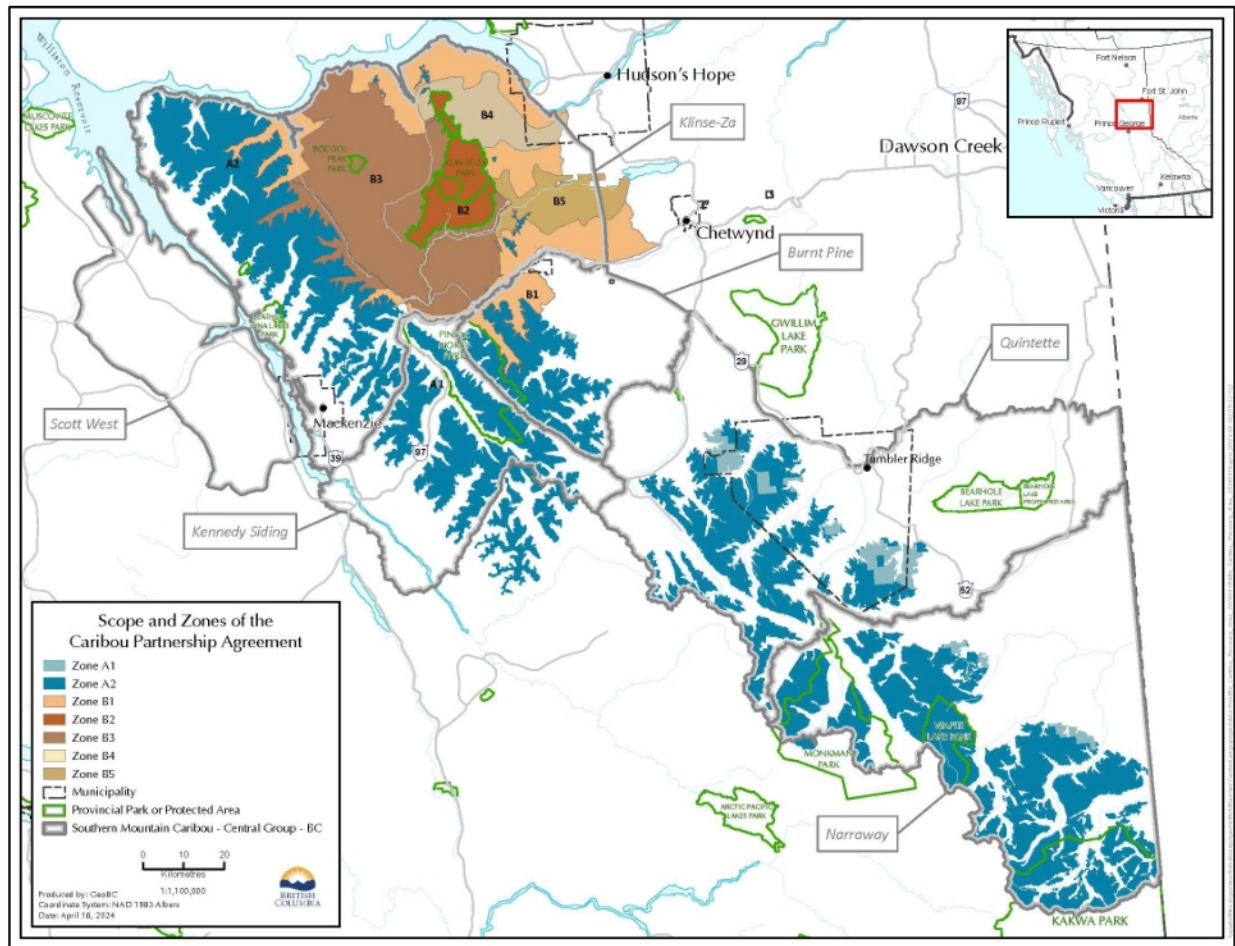
Signature: 

Signed this 22 day of May, 2024

Schedule A

Map 1 - Scope and Zones of the Partnership Agreement

The Map 1 Caribou Recovery Area – Zone Map attached to the Partnership Agreement is deleted and replaced by the revised Map 1 Scope and Zones of the Partnership Agreement, dated April 2024.



**REPLACEMENT SUPPLEMENTARY AGREEMENT ON PROTECTED AREAS AND
RELATED MATTERS UNDER THE INTERGOVERNMENTAL PARTNERSHIP
AGREEMENT FOR THE CONSERVATION OF THE CENTRAL GROUP OF
SOUTHERN MOUNTAIN CARIBOU (THIS “AGREEMENT”)**

BETWEEN

**HIS MAJESTY THE KING IN RIGHT OF THE PROVINCE OF
BRITISH COLUMBIA**, as represented by the Minister of Forests, the Minister of Water,
Land and Resource Stewardship, the Minister of Environment and Climate Change
Strategy, and the Minister of Energy, Mines and Low Carbon Innovation
(“**BC**” or “**British Columbia**”)

- And -

SAULTEAU FIRST NATIONS,
a “band” within the meaning of subparagraph 2(1) of the *Indian Act*, R.S.C.
1985, c. I-5, as represented by its Chief and Council
(“**Saulteau**”)

- And -

WEST MOBERLY FIRST NATIONS,
a “band” within the meaning of subparagraph 2(1) of the *Indian Act*, R.S.C.
1985, c. I-5, as represented by its Chief and Council
(“**West Moberly**”)

WHEREAS

- A. On February 21, 2020, West Moberly, Saulteau, British Columbia, and the Government of Canada (Canada) entered into the *Intergovernmental Partnership Agreement for the Conservation of the Central Group of the Southern Mountain Caribou*, as amended by the Amending Agreement to the Intergovernmental Partnership Agreement for the Conservation of the Central Group dated December 16, 2022, and as further amended by the Second Amendment Agreement to the Intergovernmental Partnership Agreement for the Conservation of the Central Group, dated _____ (the “**Partnership Agreement**”).
- B. Section 20 of the Partnership Agreement provides that “British Columbia will take any additional steps that may be necessary to give effect to the implementation of Regulatory Measures”.
- C. The Parties entered into the Supplementary Agreement on Protected Areas and Related Matters under the Intergovernmental Partnership Agreement for the

Conservation of the Central Group of Southern Mountain Caribou ("**Supplemental Agreement**") that is supplemental to the Partnership Agreement, and the parties now wish to revoke the Supplemental Agreement and replace it with this Agreement.

- D. The Parties also wish to acknowledge that they may enter an atmospheric benefit agreement regarding any areas established as a recreation area, park, conservancy, or equivalent under the *Park Act*.
- E. The Parties have consulted with Canada on the terms of this Agreement and Environment and Climate Change Canada has provided its support for the additional steps as described herein.

NOW THEREFORE the Parties mutually agree as follows:

- 1. The Parties agree that the Supplemental Agreement is revoked and replaced by this Agreement.
- 2. Subject to approval of the Lieutenant Governor of BC, British Columbia intends to establish, by Order in Council under the *Park Act* ("**Park OIC**"), a Class A provincial park named Klinse-za/Twin Sisters Park ("**Park**") having the boundaries depicted in Map 1 Caribou Recovery Area – Zone Map, of the Partnership Agreement.
- 3. The following areas, having the boundaries depicted in Map 1 Scope and Zones of the Partnership Agreement, of the Partnership Agreement, are excluded from the Park and from Zone B3 of the Partnership Agreement, but are included within Zone B4 of the Partnership Agreement:
 - a. A 75 meter corridor (37.5 meter either side of the constructed center line) for the each of the following Forest Service Roads:
 - i. Johnson Creek Forest Service Road;
 - ii. Callazon Clearwater Creek Forest Service Road; and
 - iii. Fisher Creek Forest Service Road up to the intersection with permit road (R12425 A);
 - b. The provincial Crown lands subject to the licence of occupation for a well-site identified in file number 8012215, document number 957998 and the associated access road (15 m on either side of the constructed centreline);

- c. The provincial Crown lands subject to a licence of occupation for a communications site identified in file number 0354333, document number 813796;
 - d. The provincial Crown lands subject to a licence of occupation for a communications site identified in file number 8015513, document number 815326;
 - e. The provincial Crown lands used for forest communication sites Ducette Repeater, forest file ID CS09542 and Bickford Repeater, forest file ID CS08156;
 - f. The provincial Crown lands subject to a permit to occupy Crown land, file number 0242651, permit number 26011 held by BC Hydro for flooding of Williston Reservoir; and,
 - g. Those access roads required by BC Hydro to access their electrical transmission rights of way adjacent to Zone B3.
4. Subject to approval of the Lieutenant Governor in Council of BC, British Columbia intends to establish Klinse-za/Twin Sisters Protected Area ("**Protected Area**") by Order in Council pursuant to the *Environment and Land Use Act* ("**Protected Area OIC**") having the boundaries depicted in Map 1 Caribou Recovery Area – Zone Map, of the Partnership Agreement. The Protected Area OIC is intended to provide for the management of that area as though it were a Class A park other than for the purposes of two natural gas transmission pipelines that are the subject of Environmental Assessment Certificate #E14-05 for the Westcoast Connector Gas Transmission Project ("**EAC #E14-05**") and Environmental Assessment Certificate #E14-06 for the Prince Rupert Gas Transmission Project ("**EAC #E14-06**"), as such certificates may be amended from time to time (the "**Projects**").
 5. Consistent with the anticipated management of Zone B3 set out in Sections 14 and 17 of the Partnership Agreement, as a result of the intended Protected Area OIC, each of the holders of EAC #14-05 and EAC #14-06 would need to apply for a park use permit in order to proceed with construction of each of their respective Projects within the Klinse-za/Twin Sisters Protected Area. Upon application, British Columbia may grant park use permits for either of the Projects, or both, subject to the terms of the Protected Area OIC.
 6. If either of the holders of EAC #14-05 and EAC #14-06 commence construction on their respective Projects pursuant to EAC #14-05 or EAC #14-06 and other applicable regulatory approvals, and if either of the Projects need a temporary construction access along the Silver Sands Forest Service Road, and an unclassified road extending from Silver Sands Forest Service Road to the Protected Area ("**Access Corridor**"), then British Columbia may seek the approvals

necessary to temporarily remove the Access Corridor from the Park for the duration of construction activities to enable construction-related access to the Projects.

7. If the Access Corridor is removed from the Park, after completion of construction activities and after receiving evidence that the Access Corridor has been decommissioned in accordance with regulatory standards, British Columbia intends to seek the approvals necessary to return the Access Corridor to park designation by amending the Park boundaries to include the area within the Park.
8. In the event that either EAC #14-05 or EAC #14-06 expire, British Columbia intends to seek the approvals necessary to cancel or amend the Klinse-za/Twin Sisters Protected Area and add those respective lands to the Park.
9. As soon as practical following the issuance of a Certificate of Restoration by the BC Energy Regulator, or an equivalent instrument releasing the tenure holder(s) from its reclamation and restoration obligations, British Columbia intends seek the approvals necessary to include the lands covered by the licence with file number 8012215, document number 957998, and associated road access referred to in s. 3 b of this Supplemental Agreement, in the Park.
10. At the request of any of the Parties, the Parties will consult and seek to reach agreement on whether British Columbia should seek to amalgamate other adjacent provincial parks with the Park, taking into consideration factors such as ecological connectivity, administrative efficiency, and integration of park planning, management and monitoring activities.
11. Except as otherwise described in this Agreement,
 - a. the terms of the Partnership Agreement, apply to this Agreement; and,
 - b. this Agreement does not amend or replace any terms of the Partnership Agreement.
12. This Agreement is binding upon the Parties.
13. This Agreement may be entered into by each Party signing a separate copy of this Agreement (including a photocopy or facsimile copy) and delivering it to the other

Parties by facsimile transmission or email. All executed counterparts taken together will constitute one agreement.

14. This Agreement will be effective as of the date of the last signature affixed hereto.

IN WITNESS WHEREOF, the Parties hereto have executed and delivered this Supplemental Amendment Agreement by their duly authorized representatives as follows:

Saulteau First Nations

By: _____
(print name)

Title: _____
(print title)

Signature: _____

Signed this ____ day of _____, 2024

West Moberly First Nations

By: _____
(print name)

Title: _____
(print title)

Signature: _____

Signed this ____ day of _____, 2024

**His Majesty the King in right of the
Province British Columbia**, as
represented by the Minister of
Environment and Climate Change Strategy

By: George Heyman
(print name)

Title: Minister of Environment and Climate Change Strategy
(print title)

Signature: 

Signed this 30 day of April, 2024

**His Majesty the King in right of the
Province British Columbia**, as
represented by the Minister of Energy,
Mines and Low Carbon Innovation

By: Josie Osborne
(print name)

Title: Minister of Energy, Mines and Low Carbon Innovation
(print title)

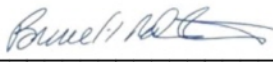
Signature: _____

Signed this 23 day of May, 2024

**His Majesty the King in right of the
Province British Columbia, as
represented by the Minister of Forests**

By: Hon. Bruce Ralston
(print name)

Title: Minister of Forests
(print title)

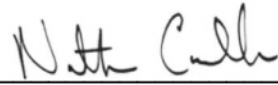
Signature: 

Signed this 22 day of May, 2024

**His Majesty the King in right of the
Province British Columbia, as
represented by the Minister of Water, Land
and Resource Stewardship**

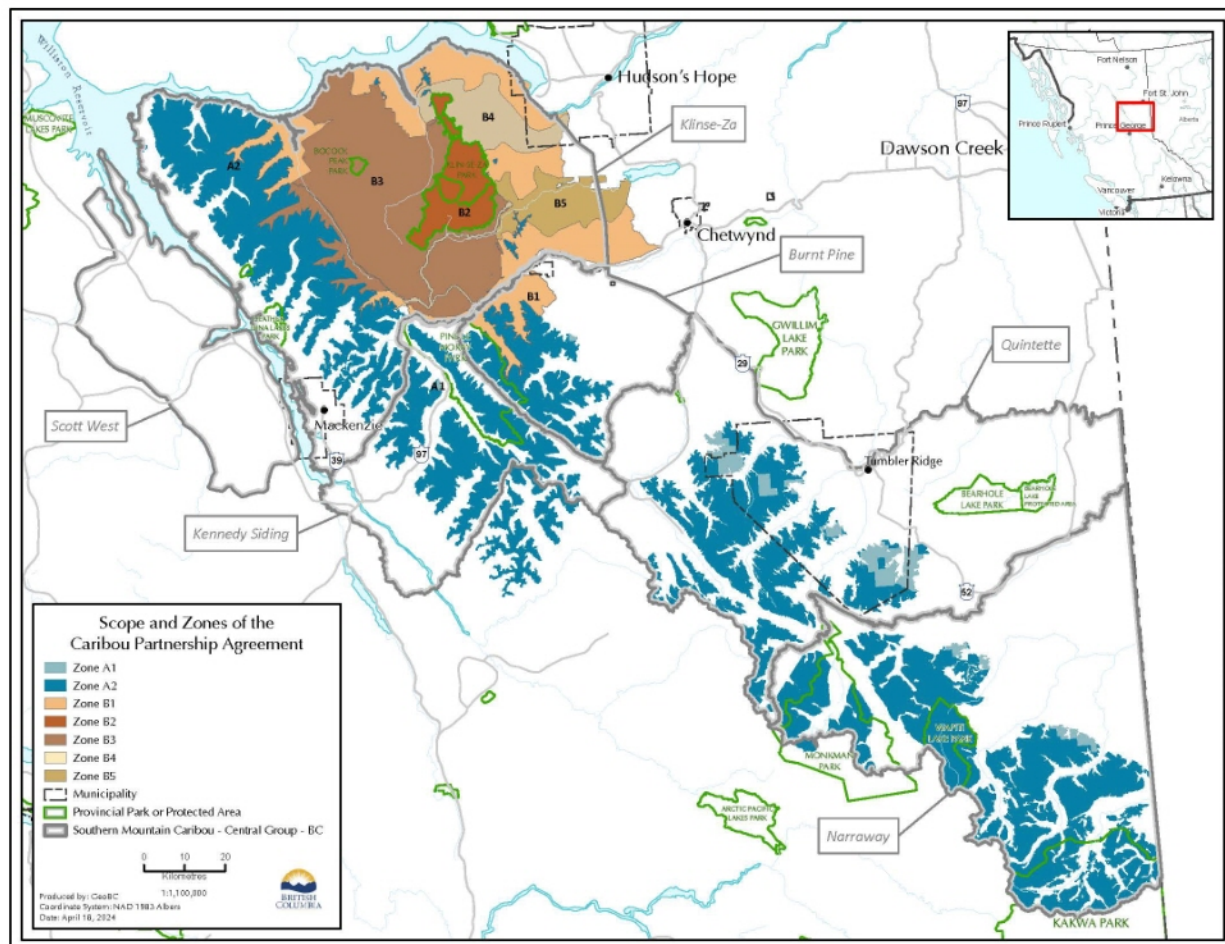
By: Nathan Cullen
(print name)

Title: Minister of Water, Land and Resource Stewardship
(print title)

Signature: 

Signed this 22 day of May, 2024

Attachment 3: Scope and Zones of the Caribou Partnership Agreement



Description of Zones

Zone A1 – Is Described as Core Caribou habitat that is an area where “Sustainable Resource Activity” is permitted. Developments applications in this area need to be reviewed by the Caribou Recovery Committee (CRC). The CRC will review all applications and provide a consensus recommendation on if the application is supported by the CRC. Developments in this zone must have special assessments and mitigate impacts to Caribou and be compliant with any Caribou related Land Use Objectives.

Zone A2 – The area containing High Elevation Winter Range (HEWR) and High Elevation Summer Range (HESR) and subject to a moratorium prohibiting provincial statutory decision makers from adjudicating applications for all resource development activities.

Zone B1 – This area has the same management restrictions as Zone A1 but is not Core caribou habitat. It is lower elevation and Matrix Caribou Habitat.

Zone B2 - The area within Zone B that were subject to pre-existing commitments between the Parties, and is currently designated as Klinse-za Park Addition (est. 2020, 2021).

Zone B3 – Area proposed for permanent protection as Klinse-za/Twin Sisters Park and Protected Area, incremental to the conservation measures in Zone B2.

Zone B4 – This area has the same management restrictions as Zone B1 but is also an area of restoration and conservation focus. This means additional efforts will be made to restore this lands base for the benefit of Caribou and any resource applications will need to consider this additional conservation focus when submitting to the CRC and government for approval.

Zone B5 –This area has the same management restrictions as Zone B4. At the time of signing, it was also an area identified by West Moberly First Nation as a candidate area for a First Nations Woodland License (FNWL). Consistent with pre-existing commitments, British Columbia and West Moberly have begun negotiations on an application for a FNWL.



DECISION NOTE

DATE: September 23, 2022

PREPARED FOR: Honourable George Heyman, Minister of Environment and Climate Change Strategy
Honourable Josie Osborne, Minister of Land, Water and Resource Stewardship
Honourable Bruce Ralston, Minister of Energy, Mines and Low Carbon Innovation
Honourable Katrine Conroy, Minister of Forests

ISSUE: Amending the Intergovernmental Partnership Agreement for the Conservation of the Central Group of the Southern Mountain Caribou and Next Steps in Implementation

RECOMMENDED OPTION:

s. 13

s. 13, s. 16

s. 13

BACKGROUND:

- The Intergovernmental Partnership Agreement for the Conservation of the Central Group of the Southern Mountain Caribou (the Partnership Agreement) was signed by the Province, Canada, Saulteau First Nations and West Moberly First Nations (the Parties) on February 21, 2020.
- The Partnership Agreement commits the Parties to agree on permanent measures to protect the area known as Zone B3 (e.g., as a provincial park) (see Attachment 3).
- The Parties have negotiated a final proposed boundary for Klinse-za/Twin Sisters Park and Protected Area and identified adjustments that they wish to make to the boundaries defined in the Partnership Agreement, and therefore have negotiated an Amending Agreement to reflect these adjustments.
- In addition, the Province, Saulteau First Nations and West Moberly First Nations have negotiated a Supplemental Agreement to capture further adjustments to and exclusions from the proposed park, including the corridor containing the permitted Prince Rupert Gas

This document may contain information that is protected by solicitor client privilege. Prior to any disclosure of this document outside of government, including in response to a request under the *Freedom of Information and Protection of Privacy Act*, the ministry in possession of this document must consult with the lawyer responsible for the matter to determine whether information contained in this document is subject to solicitor client privilege.

Transmission (PRGT) project, which is proposed to be established as a protected area under the *Environment and Land Use Act*.

- Consultation/notification regarding the proposed park and protected area has occurred with all Treaty 8 Nations. Indications of support were received from Horse Lake First Nation, Halfway River First Nation, Saulteau First Nations, and West Moberly First Nations. No response was received from Blueberry River First Nation. Doig River First Nation responded with a request for more information, which was provided. Shortly after the close of the initial consultation response period, MLIB brought forward concerns with the proposed establishment of the park as well as with the Partnership Agreement in general, and requested

s. 13, s. 14, s. 16

- The proposed establishment of the park and protected area will create tenure compensation liabilities for the Province. The Province has signed a contribution agreement with Environment and Climate Change Canada (ECCC) which includes funding to support compensation payments to tenure holders as well as community impact funding (see Attachment 4 for additional details).

DISCUSSION:

s. 13, s. 14, s. 16

This document may contain information that is protected by solicitor client privilege. Prior to any disclosure of this document outside of government, including in response to a request under the *Freedom of Information and Protection of Privacy Act*, the ministry in possession of this document must consult with the lawyer responsible for the matter to determine whether information contained in this document is subject to solicitor client privilege.

Approved / Not Approved:


Honourable George Heyman

October 28, 2022
Date

☒ Approved / Not Approved:


Honourable Katrine Conroy

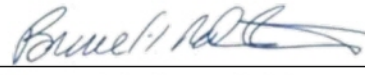
October 28, 2022
Date

Approved / Not Approved:

Honourable Josie Osborne

October 21, 2022
Date

☒ Approved / Not Approved:


Honourable Bruce Ralston

October 27, 2022
Date

Attachments:

1. Amending Agreement, draft dated 2022-04-20
2. Supplemental Agreement, draft dated 2022-04-20
3. Scope and Zones of the Caribou Partnership Agreement
4. Tenure Impacts and Resulting Compensation for Klinse-za/Twin Sisters Park and Protected Area
5. Proposed letter of response to McLeod Lake Indian Band.

This document may contain information that is protected by solicitor client privilege. Prior to any disclosure of this document outside of government, including in response to a request under the *Freedom of Information and Protection of Privacy Act*, the ministry in possession of this document must consult with the lawyer responsible for the matter to determine whether information contained in this document is subject to solicitor client privilege.

**AMENDING AGREEMENT TO THE INTERGOVERNMENTAL PARTNERSHIP
AGREEMENT FOR THE CONSERVATION OF THE CENTRAL GROUP
OF THE SOUTHERN MOUNTAIN CARIBOU**

BETWEEN

HIS MAJESTY THE KING IN RIGHT OF CANADA,
as represented by the Minister of the Environment
("Environment and Climate Change Canada" or "ECCC")
(**"Canada"**)

- And -

**HIS MAJESTY THE KING IN RIGHT OF THE PROVINCE OF
BRITISH COLUMBIA,** as represented by the Minister of Forests, the Minister of Land,
Water and Resource Stewardship, the Minister of Environment and Climate Change
Strategy, and the Minister of Energy, Mines and Low Carbon Innovation
(**"BC"** or **"British Columbia"**)

- And -

SAULTEAU FIRST NATIONS,
a "band" within the meaning of subparagraph 2(1) of the *Indian Act*, R.S.C.
1985, c. I-5, as represented by its Chief and Council
(**"Saulteau"**)

- And -

WEST MOBERLY FIRST NATIONS,
a "band" within the meaning of subparagraph 2(1) of the *Indian Act*, R.S.C.
1985, c. I-5, as represented by its Chief and Council
(**"West Moberly"**)

(Collectively the **"Parties"**, and individually a **"Party"**)

WHEREAS

1. On February 21, 2020, the Parties entered into the *Intergovernmental Partnership Agreement for the Conservation of the Central Group of the Southern Mountain Caribou* (the "Partnership Agreement");
2. The Partnership Agreement provides for the establishment of new protected areas, the boundaries of which are identified, defined, and mapped in the Partnership Agreement;

3. The Parties have identified adjustments that they wish to make to the boundaries of the protected areas identified, defined, and mapped in the Partnership Agreement; and
4. The Parties desire to amend the Partnership Agreement in accordance with section 90 of the Partnership Agreement.

NOW THEREFORE the Parties mutually agree as follows:

1. The Partnership Agreement is amended:
 - 1.1 By deleting Map 1 Caribou Recovery Area – Zone Map attached to the Partnership Agreement and replacing with the Map 1 Scope and Zones of the Partnership Agreement, April 2022 attached to this Amending Agreement as Schedule A.
 - 1.2 By renumbering section 9 as section 9(1);
 - 1.3 By adding the following clause as section 9(2):

“For greater certainty, the Zones depicted on Map 1 are the same as those reflected in the digital files dated 2021-06-22, available at the following internet link:
<https://www.for.gov.bc.ca/ftp/HTH/external/!publish/Caribou%20Recovery%20Program/Shapefiles/> . The link may be updated from time to time. If there is any discrepancy between Map 1 and the digital files, the digital files shall prevail.”
2. All clauses of the Partnership Agreement and Schedules to the Partnership Agreement which are not amended by this Amending Agreement will remain in full force and effect.
3. If any question or dispute arises between the Parties hereto over any provision of this Amending Agreement or the interpretation thereof on its effect, Sections 60 and 61 of the Partnership Agreement will apply.
4. No member of the Parliament of Canada will hold, enjoy, or be admitted to any share or part of any contract, agreement, commission, or benefit arising out of this Amending Agreement.
5. This Amending Agreement is binding upon the Parties.
6. This Amending Agreement may be entered into by each Party signing a separate copy of this Amending Agreement (including a photocopy or facsimile copy) and delivering it to the other Parties by facsimile transmission or email. All executed counterparts taken together will constitute one agreement.

7. This Amending Agreement will be effective as of the date of the last signature affixed hereto.

IN WITNESS WHEREOF, the Parties hereto have executed and delivered this Amending Agreement by their duly authorized representatives as follows:

Saulteau First Nations

By: _____
(print name)

Title: _____
(print title)

Signature: _____

Signed this ____ day of _____, 2022

West Moberly First Nations

By: _____
(print name)

Title: _____
(print title)

Signature: _____

Signed this ____ day of _____, 2022

**His Majesty the King in Right of
Canada**, as represented by the Minister of
the Environment

By: _____
(print name)

Title: _____
(print title)

Signature: _____

Signed this ____ day of _____, 2022

**His Majesty the King in right of the
Province British Columbia**, as
represented by the Minister of Forests

By: _____
(print name)

Title: _____
(print title)

Signature: _____

Signed this ____ day of _____, 2022

**His Majesty the King in right of the
Province British Columbia**, as
represented by the Minister of
Environment and Climate Change Strategy

By: _____
(print name)

Title: _____
(print title)

Signature: _____

Signed this ____ day of _____, 2022

**His Majesty the King in right of the
Province British Columbia**, as
represented by the Minister of Energy,
Mines and Low Carbon Innovation

By: _____
(print name)

Title: _____
(print title)

Signature: _____

Signed this ____ day of _____, 2022

**His Majesty the King in right of the
Province British Columbia**, as
represented by the Minister of Land, Water
and Resource Stewardship

By: _____
(print name)

Title: _____
(print title)

Signature: _____

Signed this ____ day of _____, 2022

Schedule A

Map 1 - Scope and Zones of the Partnership Agreement, April 2022

The Map 1 Caribou Recovery Area – Zone Map attached to the Partnership Agreement is deleted and replaced by the revised Map 1 Scope and Zones of the Partnership Agreement, April 2022.

