

**2021 Amending Agreement of the
2018 Strategic Engagement Agreement**

BETWEEN:

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

(hereinafter the "Province")

AND:

KASKA DENA COUNCIL on its own behalf and on behalf of Daylu Dena Council, Dease River First Nation and Kwadacha First Nation

(hereinafter the "Kaska Dena")

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

WHEREAS:

- A. The Parties renewed their commitment to the Strategic Engagement Agreement on March 22, 2018 (the "2018 Strategic Engagement Agreement");
- B. On September 13, 2017 the Province committed to working in partnership with Indigenous peoples to embrace and implement UNDRIP and has enacted the Declaration on the Rights of Indigenous Peoples Act (the "Declaration Act") that provides a framework for the implementation of UNDRIP in British Columbia;
- C. By the 2020 Amending Agreement the Parties extended the term of the 2018 Strategic Engagement Agreement to March 31, 2021; and
- D. The Parties wish to extend further the term of the 2018 Strategic Engagement Agreement in order to allow the Parties additional time to work collaboratively to review the terms of the 2018 Strategic Engagement Agreement and ratify a subsequent Strategic Engagement Agreement that represents the interests of all Kaska and is informed by the Province's commitments to implement UNDRIP.

NOW THEREFORE, the Parties agree as follows:

1. The Parties agree to extend the term of the 2018 Strategic Engagement Agreement to March 31, 2022 (the “Extended Term”) in accordance with the terms set out in section 1 of Schedule A to this 2021 Amending Agreement.
2. This 2021 Amending Agreement will take effect on April 1, 2021 (the “2021 Amending Agreement Effective Date”).
3. The Parties agree that the Province will provide to the Kaska Dena the amount of \$350,000 to implement the Extended Term within 30 days of the 2021 Amending Agreement Effective Date in accordance with the terms set out in sections 2, 3 and 4 of Schedule A to this 2021 Amending Agreement.
4. The Parties agree that, on and after the 2021 Amending Agreement Effective Date, the terms of Schedule A to this 2021 Amending Agreement are terms of the 2018 Strategic Engagement Agreement, as amended.
5. The Parties agree that, on and after the 2021 Amending Agreement Effective Date, section 2.1 of Appendix H of the 2018 Strategic Engagement Agreement is amended by replacing section 2.1 of Appendix H with the following:
 - 2.1 The Kaska Dena Co-Chair and at least one additional Kaska Dena representative will be in attendance at two thirds of the Natural Resources Council meetings.
6. The Parties agree that, on and after the 2021 Amending Agreement Effective date, in all other respects the 2018 Strategic Engagement Agreement remains the same.
7. The Province represents and warrants to the Kaska Dena, that it has the authority to enter into this Agreement and to carry out its obligations in accordance with the terms of this Agreement and this Agreement is a valid and binding obligation of the Province.
8. The Kaska Dena Council represents and warrants to the Province that:
 - a) it is a duly incorporated society under the *Societies Act*, and that it is in good standing;
 - b) it has the legal power, capacity and authority to enter into this Agreement on its own behalf and on behalf of the Daylu Dena Council, Dease River First Nation and Kwadacha First Nation and to make the covenants, acknowledgements and representations in this Agreement; and

- c) it enters into this Agreement for and on behalf of itself and the Daylu Dena Council, Dease River First Nation and Kwadacha First Nation and that this Agreement is a valid and binding obligation upon it and the Daylu Dena Council, Dease River First Nation and Kwadacha First Nation.
9. Daylu Dena Council, Dease River First Nation and Kwadacha First Nation have each provided a true or certified copy of a Band Council Resolution approving this Agreement and reconfirming the authority of the Kaska Dena Council to enter into this Agreement on its behalf and on behalf of its members.
10. Execution in Counterpart. This Agreement may be entered into by each Party signing a separate copy of this Agreement and delivering it to the other Party by facsimile or e-mail transmission.

Signed on this 22 day of March 2021 ON BEHALF OF KASKA DENA, as represented by:


 Chief, Dease River First Nation


 Witness


 Deputy Chief, Daylu Dena Council


 Witness


 Chief, Kwadacha First Nation


 Witness


 Chair, Kaska Dena Council


 Witness

Signed on this 25th day of March 2021 ON BEHALF OF HER MAJESTY THE QUEEN IN RIGHT OF THE PROVINCE OF BRITISH COLUMBIA, as represented by:


 Minister of Indigenous Relations and Reconciliation


 Witness

SCHEDULE A

1. Pursuant to section 18.4 of the 2018 Strategic Engagement Agreement, section 18.2 is replaced with the following:
 - 18.2 Subject to the Parties agreeing to extend the term pursuant to subsection 18.3 of this Agreement, the term of this Agreement will end on March 31, 2022.
2. On and after the 2021 Amending Agreement Effective Date, section 14.1 of the 2018 Strategic Engagement Agreement is amended to provide the Kaska Dena with the amount of \$350,000 to implement the Extended Term by replacing s. 14.1 with the following:
 - 14.1 To implement this Agreement, the Province will provide the Kaska Dena with an amount not to exceed \$1,400,000 as follows:
3. On and after the 2021 Amending Agreement Effective Date, section 14.2 of the 2018 Strategic Engagement Agreement is amended to provide that the payment of \$350,000 by the Province to the Kaska Dena, as referred to in section 3 of this 2021 Amending Agreement, will be within 30 days of the 2021 Amending Agreement Effective Date by replacing s. 14.2 with the following:
 - 14.2 Annual payments described in Column 1 and Column 2 of Appendix H of this Agreement will be released by the Province to the Kaska Dena on receipt of the annual report described in section 2.1 of Appendix H. The payment described in Column 3 of Appendix H of this Agreement will be released within 36 days of the 2020 Amending Agreement Effective Date. The 350,000-payment described in Column 4 of Appendix H of this Agreement will be released within 30 days of the 2021 Amending Agreement Effective Date.
4. On and after the 2021 Amending Agreement Effective Date, section 1.0, Payment Schedule, of Appendix H, Funding and Reporting, is amended as follows:

1.0 Payment Schedule

	COLUMN 1	COLUMN 2	COLUMN 3	COLUMN 4	TOTAL
	Within 30 days of the Effective Date (2018-2019)	Year 2 (2019-2020)	Within 36 days of the Effective Date of the 2020 Amending Agreement	Within 30 days of the 2021 Amending Agreement Effective Date	
Annual Payments Funds released as outlined in section 14.2 of the Agreement	\$350,000	\$350,000	\$350,000	\$350,000	\$1,400,000
Strategic Shared Decisions - major projects Funds released based on Natural Resources Council direction		\$50,000		\$25,000	\$75,000
TOTAL SEA Funding					\$1,475,000