

Memorandum of Understanding

Between

The Tseshaht First Nation

and

The San Group of Companies

This Memorandum of Understanding (MOU) sets for the terms and understanding between the Tseshaht First Nation and the San Group of Companies to co-operate on opportunities of economic development and mutual benefit.

Background

Both parties have interests related to forest resources and value an approach to harvesting and use of forest resources that maximizes value while minimizing waste. While forests are the ultimate sustainable resource, unless used sustainably they are easily depleted and opportunities for community benefit such as education, culture, training, employment and income are neither maximized nor available for future generations.

The San Group of Companies is investing heavily in value-added facilities in the Alberni Valley. The Tseshaht First Nation has Aboriginal Title and Rights, is a key economic player in their territory including the Alberni Valley and has a strong desire to work with credible, reputable, and collaborative economic partners. This MOU presents a framework by which the two entities will be able to work together from a position of mutual respect and co-operation.

Purpose

The purpose of this Agreement is to set out the terms by which SAN Group and Tseshaht First Nation may explore potential opportunities together. Nothing this this Agreement should be construed, inferred or implied beyond that purpose.

Without Prejudice

This Agreement is not legally binding and is without prejudice to the section 35(1) rights held by Tseshaht. Further it is without prejudice to Aboriginal Title, Rights, and all other legal rights of either Party.

Generally, the topics to be considered include:

1. Economic Development in Tseshaht territory
2. Partnerships
3. Collaboration
4. Forestry and Forestry Resources
5. Employment and Training
6. History and Culture

7. Education
8. Other topics of mutual interest

Reporting

Reporting out on progress and needs will be done at regular intervals through meetings involving our various teams at minimum on a yearly basis amongst both parties. Ultimately agreements and initiatives will be consent between the San Group administration and the Tseshaht First Nation in writing when required.

Funding

This MOU is not a commitment of funds to either party. Financial commitments will be made through separate agreements and contracts at the appropriate time when and if the need arises.

Duration

This MOU will expire one year following the signing of this agreement and will be reviewed prior to the expiry to determine any extensions and may be modified by mutual written consent of authorized officials from The San Group of Companies and the Tseshaht First Nation.

Dispute mechanism

1. Should there be a dispute in relation to the San Group and Tseshaht, both Parties will attempt to resolve the matter with senior administrative officials.
2. Should the senior administrative officials from either Party not be able to resolve the matter, then the Elected Chief Councillor and SanGroup owners shall meet to resolve the issue.
3. Should both Parties still be unable to resolve these matters, they will attempt to resolve the matter through a facilitated or mediated discussion; or proceed to termination of this agreement if required.

Amendment

1. Both Parties must consent in writing to amendments to this MOU.


Termination

1. Either Party may terminate this MOU at any time and will provide the other Party with notification as soon as possible in writing of its decision.


Contact Information

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Date: JAN 26/2022

Date: Jan. 26/2022