



Intergovernmental Council
of the Northwest Territories

PROGRESS REPORT IGC SECRETARIAT

2019

June 18, 2019

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1.0 Introduction

The Secretariat to the Intergovernmental Council (IGC) presents this activity report to the IGC for the period of September 2018 to April 2019.

2.0 Background

The following parties are signatory to the *Northwest Territories Intergovernmental Agreement on Lands and Resource Management* (the “Agreement”):

- Government of the Northwest Territories (GNWT),
- Inuvialuit Regional Corporation (IRC),
- Northwest Territory Métis Nation (NWTMN),
- Sahtu Secretariat Incorporated (SSI),
- Gwich'in Tribal Council (GTC),
- Tłıchǫ Government (TG),
- Deninu Kúé First Nation,
- Acho Dene Koe First Nation,
- Salt River First Nation,
- Kátł'odeeche First Nation.

The Agreement is a schedule to the 2014 *Devolution Agreement*, with a purpose to “formalize the government to government relationships among GNWT and the Indigenous governments for cooperative and coordinated Management of Lands and Resources.”

3.0 Administration

The Agreement established the IGC Secretariat (IGCS), and mandates that it possess appropriate technical, professional and administrative expertise and capacity to fulfill its duties. The IGC approved the Secretariat's Terms of Reference, which further outlines IGCS roles and responsibilities and created the position of IGCS Coordinator.

The IGCS Coordinator position provides administrative support to the IGC and IGCS, and currently has a home in the Aboriginal Consultation and Aboriginal Relations division of the GNWT's Department of Executive and Indigenous Affairs.

4.0 Activities

Starting in December 2018, the Coordinator worked closely with the Secretariat on the following activities:

- Three teleconferences to advance IGC business (January 11, May 10 and June 7),
- Arranging and coordinating logistical arrangements for the June 2019 IGC meeting and economic symposium,

- Two internal IGCS committee meetings for defining the scope of work for a contractor who is currently interviewing IGCS members for a “lessons-learned” exercise, related to GNWT legislative development since Devolution,
- A one-day IGC Strategic Plan workshop to finalize the plan, involving an IGCS internal committee, three GNWT Directors from ENR, ITI and Lands, and the plan’s contractor,
- In August 2018, approximately \$7.4 million in resource revenue related to 2017-2018 was distributed to Indigenous governments,
- Approximately \$1.02 million in Retained Amounts for 2016-2017 was distributed in early August 2018 to Indigenous governments and \$400,000 of the 2016-17 Retained Amounts were held back for costs associated with the NWT Economic Symposium and IGC related activities with the agreement of all Parties. The distribution of the Retained Amount for 2017-2018 will be determined later in the current fiscal year,

The formula for the calculation of the resource revenue payments was developed by the Finance Working Group and approved by the IGC Indigenous parties. The calculation takes into consideration population and cost of living differentials. At the September 14, 2017 IGCS meeting, it was agreed that updated membership numbers would be submitted to the IGC Secretariat Coordinator by the Indigenous governments in April of each year. The updated numbers would be used for the calculations for that year,

- On the basis of agreement from a majority of parties to the *Intergovernmental Resource Revenue Sharing Agreement*, a reallocation of Retained Amounts past March 31, 2019 for the June 2019 IGC meeting, economic symposium, and two contractors.

5.0 Intergovernmental Council

The fifth meeting of the Intergovernmental Council took place on September 11, 2018 in Yellowknife. The IGC heard a summary of work in the preceding year, and gave recommendations for future work by approving the following meeting outcomes.

NWT Economic Symposium

- The Economic Symposium is an important opportunity for NWT governments to discuss both the current and future economy of the NWT and how governments can work together to ensure good jobs for NWT residents.

Arctic Policy Framework

- Leadership may wish to include a public statement on the Arctic Policy Framework if there is a meeting release about the importance of ensuring there is new federal investment seen in the framework that is developed.

Retained Resources

- It is recommended that the IGC Leadership publicly confirm that Retained Resources will be used to support the Economic Symposium and to fund IGC related activities in 2018-2019.

Intergovernmental Council Strategic Plan Development

- It is recommended that the IGC Secretariat finalize the IGC Strategic Plan for Leadership approval at the second IGC meeting later in winter 2019.

Creation of a forum for social envelope issues

- The IGC has recommended the establishment of a forum with the Premier and appropriate ministers to deal with social envelope issues such as housing, education, and health between the GNWT and Indigenous governments.

6.0 IGC Secretariat

The Agreement creates the IGC Secretariat (IGCS) to support the IGC, and operates under the September 2014 IGCS Terms of Reference. The Terms mandate that the Secretariat consists of one senior official from each IGC member government.

The Secretariat held three teleconferences since September 2018:

- The January 2019 teleconference touched on how to advance outcomes from the September 2018 meeting. This included striking an internal IGCS committee to direct a contractor who would capture lessons-learned from IGC-GNWT legislative development since Devolution, and help the IGCS in identifying IGC priorities for the 19th Legislative Assembly.
- The May 2019 teleconference discussed agenda and meeting logistics for the June 2019 IGC meeting. The Indigenous caucus of the IGCS also agreed to write a letter to the Legislative Assembly's Standing Committee on Economic Development and Environment (SCEDE) regarding Part 5 of the Mineral Resources Act.

- The June 2019 teleconference advanced preparation for the IGC meeting, and included a discussion on IGC priorities for the 19th Legislative Assembly.

7.0 GNWT Legislative Initiatives

The following summarizes the activities of GNWT's three departments for lands and resources.

Department of Industry, Tourism and Investment (ITI)

For ITI, February 2019 included the introduction of three acts in the Legislative Assembly, namely the:

1. the *Mineral Resources Act* (Bill 34),
2. an *Act to Amend the Petroleum Resources Act* (Bill 36), and
3. an *Act to Amend the Oil and Gas Operations Act* (Bill 37).

Since introduction, SCEDE has considered feedback from a number of stakeholders. Additionally, in June SCEDE will hold public hearings for these bills in various NWT communities. ITI anticipates that these bills will likely reach third reading in August 2019.

Department of Environment and Natural Resources (ENR)

While ENR introduced a number of acts in February and March 2019, SCEDE is currently reviewing only the *Environmental Rights Act* (Bill 39) and the *Protected Areas Act* (Bill 38).

Department of Lands (Lands)

Bill 46, the *Public Lands Act*, had its introduction in March 2019 and is currently under review by SCEDE. This Act would join the *Commissioner's Lands Act* and *Northwest Territories Lands Act* into one piece of legislation. In June, SCEDE will host public hearings on Bill 46 in various NWT communities.

8.0 IGC Working Groups:

To advance multilateral progress on specific IGC-member-government issues, the Intergovernmental Council directed the establishment of IGCS Working Groups, including for:

- Finance,
- Aboriginal Government Capacity,
- Impact Benefit Agreement/Benefit Plans.

Due to the workload stemming from the GNWT's legislative initiatives no IGCS Working Groups convened during the reporting period.

9.0 Report on the Intergovernmental Council's Priority Items:

The following list outlines progress on outcomes that the IGC created at the September 2018 IGC meeting.

NWT Economic Symposium

- The Economic Symposium is an important opportunity for NWT governments to discuss both the current and future economy of the NWT and how governments can work together to ensure good jobs for NWT residents.

Update: The October 2018 Economic Symposium in Inuvik was a success. Leaders generally agreed that active steps are necessary to ensure a prosperous future for the NWT. An outcome of the meeting was the establishment of the Economic Collaboration Working Group, which includes representatives from Indigenous governments, industry and the GNWT. Another symposium is scheduled for June 19, 2019, and members from the Standing Committee on Economic Development and the Environment (SCEDE) will also attend.

Arctic Policy Framework

- Leadership may wish to include a public statement on the Arctic Policy Framework if there is a meeting release about the importance of ensuring there is new federal investment seen in the framework that is developed.

Update: GNWT has provided regular updates, both to the IGCS, and individually to IGC member governments.

Retained Resources

- It is recommended that the IGC Leadership publicly confirm that Retained Resources will be used to support the Economic Symposium and to fund IGC related activities in 2018-2019.

Update: The September 2018 IGC allocation of Retained Amounts provided the funds (\$400,000) for both the Economic Symposium and IGC activities. On the basis of agreement from a majority of Parties to the *Intergovernmental Resource Revenue Sharing Agreement*, a carryover of the remaining Retained Amounts past March 31, 2019 will be used in this

fiscal year to provide for costs associated with the IGC and Economic Symposium and IGCS related activities.

Intergovernmental Council Strategic Plan Development

- It is recommended that the IGC Secretariat finalize the IGC Strategic Plan for Leadership approval at the second IGC meeting later in winter 2019.

Update: the IGCS presents an overview of the ***2019-2024 IGC Strategic Plan***.

Creation of a forum for social envelope issues

- The IGC has recommended the establishment of a forum with the Premier and appropriate ministers to deal with social envelope issues such as housing, education, and health between the GNWT and Indigenous governments.

Update: GNWT has explored approaches for this important initiative, and awaits response to its April 4 letter from Minister Glen Abernethy asking for a representative to be named from each Indigenous government. To date, only two Indigenous governments have put a name forward.

10 Recommendations

The IGCS presents the following recommendations for the Intergovernmental Council's review and direction:

- Approve the 2018-2019 IGCS Progress Report,
- Direct the IGC Secretariat to continue its work with the GNWT in completing a best practices document from the Legislative Initiatives process and;
- Direct the IGC Secretariat to continue to developing a formal government-to-government working relationship document for IGC to review.

11 Conclusion

The IGC and its member governments stand poised for a prosperous future. The finalization of the IGC Strategic Plan, as well as a number of GNWT legislative proposals demonstrate that collaborative and cooperative management of lands and resources in the NWT is possible.

The IGC's next five years will not be without challenges, but the hard work of the IGCS and GNWT's senior officials during the first five years of Devolution has set a foundation for the refined path that the ten IGC governments will continue to walk together.