



# NWT Devolution of Lands & Resources: *A Seamless Transition*

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Implementation

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*Working Together - A Seamless Transition*



# Overview of Presentation

- Overview of NWT Devolution Agreement
- Transition - Implementation
- Working Together
- More To Come



# NWT Devolution

NWT Devolution is the transfer of responsibility for managing public land, water and resources in the NWT from Canada to the GNWT

- Negotiations began in 2002 and concluded in March of 2013
- *NWT Land and Resources Devolution Agreement*
  - Signed June 25, 2013
  - Canada, GNWT and five Aboriginal governments
- Transfer is targeted for **April 1, 2014**
  - Work is progressing well and we remain on track to hit our target date



# Partners in Progress

Aboriginal/territorial/federal leaders identified the devolution of lands and resources as a priority at the 1<sup>st</sup> NWT Intergovernmental Forum in May 2000

Final Agreement was signed June 25, 2013

Signatories currently include:

- Government of Canada
- Government of the Northwest Territories
- Inuvialuit Regional Corporation
- Northwest Territory Métis Nation
- Sahtu Secretariat Incorporated
- Gwich'in Tribal Council
- Tlicho Government

Canada and the GNWT have undertaken section 35 consultations with all Aboriginal groups in the NWT

|  | YU   | NWT  | NU   |
|--|------|------|------|
| Policy Decision                            |      |      |      |
| Framework Agreement / Negotiation Protocol | 1998 | 2004 | 2008 |
| Agreement in Principle (AIP)               |      | 2011 |      |
| Final Agreement                            |      |      |      |
| Legislation & Transition                   | 2001 | 2013 |      |
| Implementation                             | 2003 | 2014 |      |



# Benefits of Devolution

*Legislative and Delegated Authority* – Authorities currently found in about 27 federal acts and regulations, delegation under MVRMA

*Program Authority* – ability to deliver and design/modify

*Budgets* – \$67.3 million per year to deliver related programs

*Resource Revenues* – up to 50% of revenues collected from resource development on public land

- GNWT will share up to 25% of its revenues with participating Aboriginal governments – an unprecedented sharing agreement in Canada

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# Implementing the Agreement

Parties to the Agreement are committed to a seamless transition of authorities and services. Work is ongoing on a series of fronts, including:

- Joint Working Groups
- Organizational Design
- Transitioning of impacted AANDC staff
- Legislation proceeding through both Parliament and Legislative Assembly

Implementation work is being carefully managed to minimize and manage risk to ensure a successful transition

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# Joint Working Groups

- Made up of AANDC, GNWT and Aboriginal parties
- Supported by a project management team that reports to Principals
- Focus on the details of transfer and ensure completion of work
- Developed detailed work plans, reporting progress with target to complete all necessary work by April 1, 2014



# Organizational Design

Receiving GNWT organization developed

- Addition of Department of Lands, appointment of Minister and DM Designate
- Expansion of roles, responsibilities for both Environment and Natural Resources and Industry, Tourism and Investment

AANDC Re-Design Ongoing

- Identification of residual responsibilities and the organization required to deliver them





# Human Resources

Job offers made to all affected NWT AANDC staff

Almost 100% acceptance

- Ensures knowledgeable, experienced staff in place on April 1, 2014

Aggressive early recruitment campaign has also meant key positions not being filled by AANDC staff are being filled prior to April 1<sup>st</sup> to allow for knowledge transfer



# Legislation - Canada

- Bill C-15 introduced in the House of Commons on December 3<sup>rd</sup>, 2013 and has received 1<sup>st</sup> and 2<sup>nd</sup> Reading
- Devolution related changes include:
  - Expanding and modernizing authorities to *NWT Act*;
  - repealing and/or amending 27 federal acts and regulations including the *Territorial Lands Act*, *NWT Waters Act* and *Surface Rights Board Act*; and,
  - Regulatory Improvement changes
- Bill C-15 is currently being studied by the Standing Committee on Aboriginal Affairs and Northern Development and the Senate Committee on Energy, the Environment and Natural Resources.



# Legislation - NWT

First Wave Introduced in Legislative Assembly  
and received 1<sup>st</sup> and 2<sup>nd</sup> Reading

- *Surface Rights Board Act*
- *Reindeer Act*
- *Archeological Sites Act*

Second wave of legislation to be introduced in  
upcoming Session, including:

- *Lands Act*
- *Waters Act*

Regulations also being mirrored



# The Transition of the NWT Regulatory Regime

- Devolution Agreement Chapter 3 implemented by April 1, 2014 (Legislation, regulations, Orders in Council (OIC) and Memorandums of Understanding (MOU))
- Operational transfers of dispositions and records including notifications
- Action Plan changes (timelines, board restructuring, policy direction, etc.) will have varied coming into force dates
- AANDC will work with GNWT, Aboriginal Organizations, Other federal departments, Boards, Industry to clarify and manage the changes

..... is underway and will continue until April 1<sup>st</sup>

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# Working Together Post April 1, 2014

Devolution will create new opportunities for public and Aboriginal governments to work together on land and resource management through :

- an *Intergovernmental Council*  
to coordinate land and resource management
- an *Onshore/Offshore Cooperation Agreement*  
to coordinate transboundary jurisdictions
- a *Waste Sites Management Committee*  
to provide recommendations on remediation

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# More to Come...

The following presentations today will provide more detail on:

- The administration of mineral rights after devolution
- How applications are being treated with devolution in mind
- Continuation of existing rights and interests
- Residual Federal Lands
- GNWT legislative and policy framework
- Departmental structure
- Day-to-day operations

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# Questions?

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