
NEWS RELEASE

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Ministry of Aboriginal Relations and
Reconciliation
Nisga'a Nation

New agreements confirm benefits of Nisga'a self-government

NEW AIYANSH - The Nisga'a Nation and the Province built on their treaty relationship today with a series of agreements that will facilitate the further implementation of the Nisga'a Treaty, establish the Nisga'a Nation as the primary property tax authority on Nisga'a Lands in respect of property such as prospective LNG pipeline infrastructure and provide a share of provincial mining and clean energy revenue generated from the Nass Area.

At a ceremony in New Aiyansh, Aboriginal Relations and Reconciliation Minister John Rustad and Nisga'a Lisims Government President Mitchell Stevens signed the Settlement Agreement to resolve issues over the implementation of environmental assessment and consultation obligations under the Nisga'a Treaty including those related to the Kitsault molybdenum mine. In addition, the governments signed the Nisga'a Real Property Tax Coordination Agreement (RPTCA), and the Kitsault Mine Economic and Community Development Agreement (ECDA).

The RPTCA is an agreement entered into in accordance with the Nisga'a Treaty that allows the Nisga'a Lisims Government (NLG), to collect property taxes from persons other than Nisga'a citizens on Nisga'a Lands. In addition, NLG will have taxing authority over industrial installations such as any future LNG pipelines passing through Nisga'a Lands. Treaties remain the highest form of reconciliation and provide First Nations with a comprehensive set of tools for self-government and participating in the economy.

The Kitsault ECDA supports the advancement of the Kitsault molybdenum mine project and enables the Nisga'a Nation to receive a share of provincial mineral tax revenues collected from its operations. Current mineral tax projections estimate that the Nisga'a Nation will receive approximately \$43 million over the 16 year operational life of the mine. This is the first ECDA that the Province has negotiated with the Nisga'a Nation and the fifteenth ECDA the provincial government has negotiated with First Nations.

Further benefits from resources will come from a share of revenues from the Long Lake hydroelectric project. When the hydro project is operating at full capacity, revenue to the Nisga'a Nation is forecast at \$123,820 per year over the life of the project. This revenue sharing comes through the First Nations Clean Energy Business Fund. The hydro project is a 31 mega-watt facility, 25 km outside of Stewart, close the B.C.-Alaska border. The construction of a 10 km 138 kilovolt transmission line connects the site to the BC Hydro grid, with opportunities to interconnect with other regional projects

Quotes:

Minister of Aboriginal Relations and Reconciliation, John Rustad -

“These agreements are positive steps forward for the Nisga'a Nation and highlight the success we have had working together through the Nisga'a Treaty. The ability to more effectively implement the Nisga'a Treaty and generate revenue from property taxes, and share mining and clean energy revenue is good news for Nisga'a communities and for British Columbians.”

Minister of Environment, Mary Polak -

“The Nisga'a Nation and the Environmental Assessment Office have been working side by side over the last year to develop a collaborative approach to environmental assessments. By working together, we can deliver predictable, effective and expeditious environmental assessments that meet the needs of both governments.”

Minister of Energy and Mines, Bill Bennett -

“These revenue sharing agreements will ensure the Nisga'a Nation can share in the benefits of economic activity on their Treaty lands and are an example of how the mining and clean energy industries are working together with First Nations and the Province to grow the economy and improve economic opportunities for First Nations communities.”

President of the Nisga'a Lisims Government, Mitchell Stevens -

“These agreements affirm the ongoing government-to-government relationship between Nisga'a Nation and British Columbia necessary for the effective implementation of the Nisga'a Final Agreement. The benefits of these agreements will make significant contributions towards our vision to achieve sustainable prosperity and improve the quality of life of our Nisga'a citizens.”

Quick Facts:

- The Nisga'a Nation is located in the Nass Area, northwest of Terrace. There are four villages in Nisga'a Lands, Gitlaxt'aamiks, Gitwinksihlkw, Laxgalts'ap and Gingolx.
- The Nisga'a Treaty is the first modern treaty in British Columbia. It came into effect on May 11, 2000.
- The Kitsault mine, owned by Avanti Mining Inc., is located 140 km northeast of Prince Rupert.
- The mine is expected to generate 700 jobs during the construction period and 300 once it is in production.
- As well as the ECDA related to the Kitsault mine, the Dispute Resolution Settlement Agreement also provides a commitment to negotiate an ECDA framework to share mineral tax revenue on future mining projects in the area.
- The transitional property tax exemption for Nisga'a citizens has expired.

Learn More:

Nisga'a Nation: www.nisgaanation.ca/

Event is being live streamed and archived at:

<http://new.livestream.com/accounts/8043264/events/3217791>

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BACKGROUNDER

B.C. and Nisga'a Nation dispute resolution settlement agreement

The provincial government and the Nisga'a Nation have reached a settlement agreement to resolve the dispute over the environmental assessment of the Kitsault Mine project.

The settlement agreement provides for:

- A collaborative process for the Environmental Assessment Office and the Nisga'a Nation to carry out future environmental assessments and are subject to the Environmental Assessment and Protection Chapter of the Nisga'a Treaty which applies to Environmental Assessment and Protection.
- A commitment to negotiate the Nass Stewardship Protocol, a government-to-government collaboration agreement that will help the Nisga'a Nation and B.C. work together to promote responsible natural resource management and development in a way that honours B.C.'s and the Nisga'a Nation's responsibilities under the treaty.
- A commitment from both parties to work towards consensus through the collaborative processes above and have a timely process to follow if consensus is not reached.
- A commitment to negotiate and try to conclude an Economic and Community Development Agreement (ECDA) framework on mineral tax revenue sharing on future mining projects.

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Nisga'a Real Property Tax Co-ordination Agreement

- The Nisga'a Real Property Tax Co-ordination Agreement (RPTCA) establishes the Nisga'a Nation as the property taxation authority on Nisga'a Lands. The Nisga'a Nation will levy and collect real property taxes on properties held by both Nisga'a citizens and persons other than Nisga'a citizens on Nisga'a Lands.
- The ability to tax non-residential property will mean that the Nisga'a Nation will generate revenue from taxes received from industry, including any LNG installations that are developed on Nisga'a Lands.
- As part of the RPTCA, the Nisga'a Nation will appoint a director to the Board of the North West Regional Hospital District and will contribute to the regional hospital district through property taxation.
- The Nisga'a Nation will also be entitled to grants in lieu of property taxes from BC Hydro with respect to BC Hydro infrastructure on Nisga'a Lands.
- The Nisga'a Nation and the provincial government each require legislation to bring the RPTCA arrangements into effect. Both Parties are eager to establish these arrangements as soon as possible and efforts to do so are underway.
- RPTCAs are optional agreements available to treaty First Nations, which come into force on or after their treaty Effective Date. To date, all B.C. treaty First Nations have signed RPTCAs.

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BACKGROUNDER

Why B.C. Treaties are important

- Treaties are B.C.'s preferred approach to addressing reconciliation, removing First Nations from the constraints of the federal Indian Act and providing them with a comprehensive set of tools for self-government and participating in the economy.
- By bring certainty to land and resource rights, treaties maximize opportunities for economic development and job creation for First Nations and all British Columbians.
- A 2009 report by PriceWaterhouseCoopers estimated that completing two treaties per year over the next 15 years could result in \$5.14 billion in net benefits to First Nations, as well as boost the provincial economy by \$3.2 billion through investment, job creation and economic development.
- In British Columbia there are three modern treaties in effect with seven First Nations:* The Nisga'a Treaty, B.C.'s first modern treaty.
- The Tsawwassen First Nation treaty; the first treaty under the BC Treaty Commission process and B.C.'s first urban treaty.
- The Maa-nulth treaty; the first treaty on Vancouver Island and the first multi-nation treaty, with five First Nations.

- Yale First Nation and the Tla'amin Nation also have fully ratified final agreements, and both are working towards their treaty Effective Dates.
- Treaties provide a wide range of benefits and opportunities for First Nations, such as:* Establishment of government frameworks and law-making powers through a Legislative Assembly;
- The opportunity to gain direct benefit from property taxes on treaty lands through a Real Property Tax Co-ordination Agreement; and
- A legislated Dispute Resolution process.

- Through the Nisga'a Treaty, the Nisga'a Nation has achieved a range of successful outcomes including: * Resource revenue-sharing through the Nisga'a Nation's first Economic and Community Development Agreement to receive a percentage of provincial mineral tax-revenue from the Kitsault Mine.
- Clean energy revenue-sharing from the Long Lake hydroelectric project through the First Nations Clean Energy Business Fund.
- Primary property tax authority on Nisga'a Lands through the Real Property Tax Co-ordination Agreement.
- Opportunities for participation in resource development such as the Northwest Transmission Line.
- Renewal of the Nisga'a Tripartite Implementation Committee is a demonstration of B.C. and the Nisga'a Nation's commitment to the treaty and the realization of the opportunities created by this lasting relationship.

- Tsawwassen First Nation (TFN) has established the Tsawwassen Economic Development Corporation and is a member of TransLink and Metro Vancouver.
- TFN has successfully partnered with the provincial and federal governments to access \$9 million through Canada's Economic Action Plan to launch a major industrial development.
- In January 2014, TFN started construction on two major retail developments - Tsawwassen Mills and Tsawwassen Commons.

- Since the Maa-nulth treaty came into effect in 2011 the five First Nations have been working with B.C. on a range of treaty implementation activities including:* Membership of the Alberni-Clayoquot Regional District for Huu-ay-aht , Yuʔluʔifʔath and Uchucklesaht First Nations. Ka:'yu:'k't'h'/Che:k'tles7et'h' First Nation is currently participating as an observer at the meetings of the Strathcona Regional District in preparation for joining the Regional District in the future.
- Agreements that delegate additional law-making authorities from the Province to each First Nation within the foreshore fronting Maa-nulth Treaty Settlement Lands. These agreements mean each First Nation can make laws to regulate business and provide services in the foreshore area that will attract investors and provide viable, environmentally appropriate developments in the area.
- B.C. and the Maa-nulth First Nations have also signed a Framework Agreement to allow provincial enforcement officials to enforce Maa-nulth First Nation laws. The agreement aims to develop the capacity of the First Nations to govern themselves and continue to build a collaborative government-to-government relationship established by the Treaty.
- In addition to finalizing treaties with First Nations, the Province is working to provide more benefits earlier in the treaty negotiations, through Incremental Treaty Agreements (ITA). Currently, B.C. has 15 ITAs with First Nations, the most recent being an ITA with Lake Babine First Nation that provided the First Nation with new forestry and eco-tourism opportunities.

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