NISG̱A'A LISIMS GOVERNMENT

Making Modern Treaties Work

Building Today for a Better Tomorrow

February 11 – 12, 2020

Hilton Lac Leamy, Gatineau Quebed

Corinne McKay, MBA BComm

Secretary Treasurer

1913 Land Committee

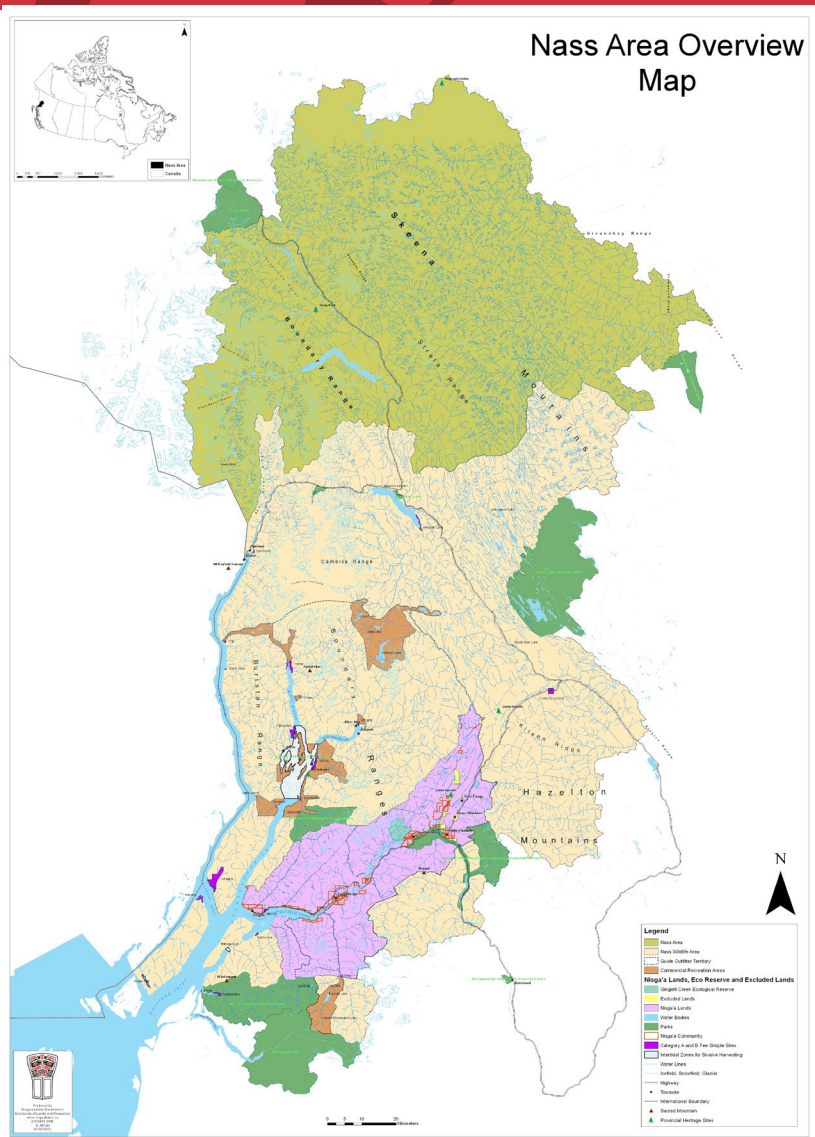
Nisga'a Treaty effective date May 11, 2000
2020 marks the 20th Anniversary of the
Nisga'a Treaty

Land Question to Treaty

- The Nisga'a people first petitioned government to settle their "Land Question" in 1887.
- In 1998, the governments of Canada, British Columbia, and the Nisga'a Nation signed the Nisga'a Final Agreement, the first treaty in British Columbia in more than a century.
- The Nisg̲a’a Treaty, which came into effect in May 2000, provides certainty with respect to Nisg̲a’a Nation ownership, use and jurisdiction over lands and resources within the area of the Nass River.

Nisga’a Land

- The Nisga’a Nation owns and controls:
  - Approx. 2,000 km^2 of Nisga’a Lands. It’s the largest private landowner in British Columbia
  - Approx. 27.5 km^2 of additional fee simple lands
- The Nisga’a Nation also has constitutionally protected Treaty interests in the broader Nass Area and Nass Wildlife Area



Nisga’a Lisims Government (NLG)

Financial Administration Act

Financial Administration

The Management and control of financial affairs of the Nisga'a Nation are defined in the Nisga'a Financial Administration Act.

Each fiscal year Wilp Si Ayuukhl Nisga'a (WSN) must pass the Nisga'a Nation Provisional Budget that provides for funding appropriations:

- Nisga'a Government, Nisga'a Village Governments, Nisga'a Urban Locals, Nisga'a Valley Health Authority (NVHA), School District (SD) #92, and Wilp Wilxo'oskwhl Nisga'a Institute (WWNI).

On or before October 31 of a fiscal year WSN must adopt a final budget.

Revenues

Fiscal Financing Agreement (FFA) #3 was approved by Wilp Si Ayuukhl Nisga'a in 2019. Canada and British Columbia will provide funding for:

- Nisga'a Nation Governance
- Local Services
- Major Maintenance replacement of capital assets
- Social, Health, Education, Housing
- Employment & Skills Training
- Child & Family Services (Provincial Funding)

FFA Improvements

- Governance Funding
- Land and Resource Management Funding
- Moratorium on Own Source Revenue deductions
- $8.7 over two years for Nisga’a Nation to close infrastructure, housing or social well-being gaps.
- Funding to carry out **infrastructure assessments** and **housing assessments**.
- Framework for amending FFA #3 to improve funding as Canada’s **fiscal policy** improves over time.

Modern Treaty Nations

Provincial Funding

- FFA #3 obligates British Columbia (BC)to develop, in collaboration with modern treaty nations a new fiscal policy.

- November 5th 2019 Nisga'a Nation formally joined the BC Modern Treaty Nations by signing a Memorandum of Cooperation

Gisi Aksim Lisims – Nass River

Income Taxes

Personal Income Tax Act

Based upon revenue sharing agreements between the Nisga'a Nation, Canada, and BC, taxes paid to Canada Revenue Agency (CRA) are returned to the Nisga'a Nation – therefore the NLG has been advertising for Nisga'a citizens earning income on Nisga'a Lands:

- ☑ TICK YES ON YOUR T1 TAX FORM .

The Personal Income Tax Act provides for payments from Canada equal to 95% of the amount of income tax assessed on residents on Nisga'a Lands.

Property Tax

Nisga’a Legislation

Legislation to enact Real Property Tax Coordination Agreement was introduced and passed by Wilp Si’ayuukhl Nisga’a in July of 2014. This provides the nation ability to assess property values through the BC Assessment Authority and to impose taxes based on assessed values.

This legislation was expected to be enacted soon after the effective date in 2000, however the potential for LNG Projects on Nisga’a Lands was leverage to move forward with nation taxing authority.

Capital Finance Commission

The Capital Finance Commission (CFC) was established to enable the financing of major maintenance or replacement of FFA listed assets. The commission is responsible for management and control of CFC Assets in accordance with the Nisga’a Capital Finance Commission Act. The CFC meets to consider submissions under Schedule C of the FFA, and to consider submissions under the New Assets Act.

Settlement Trust

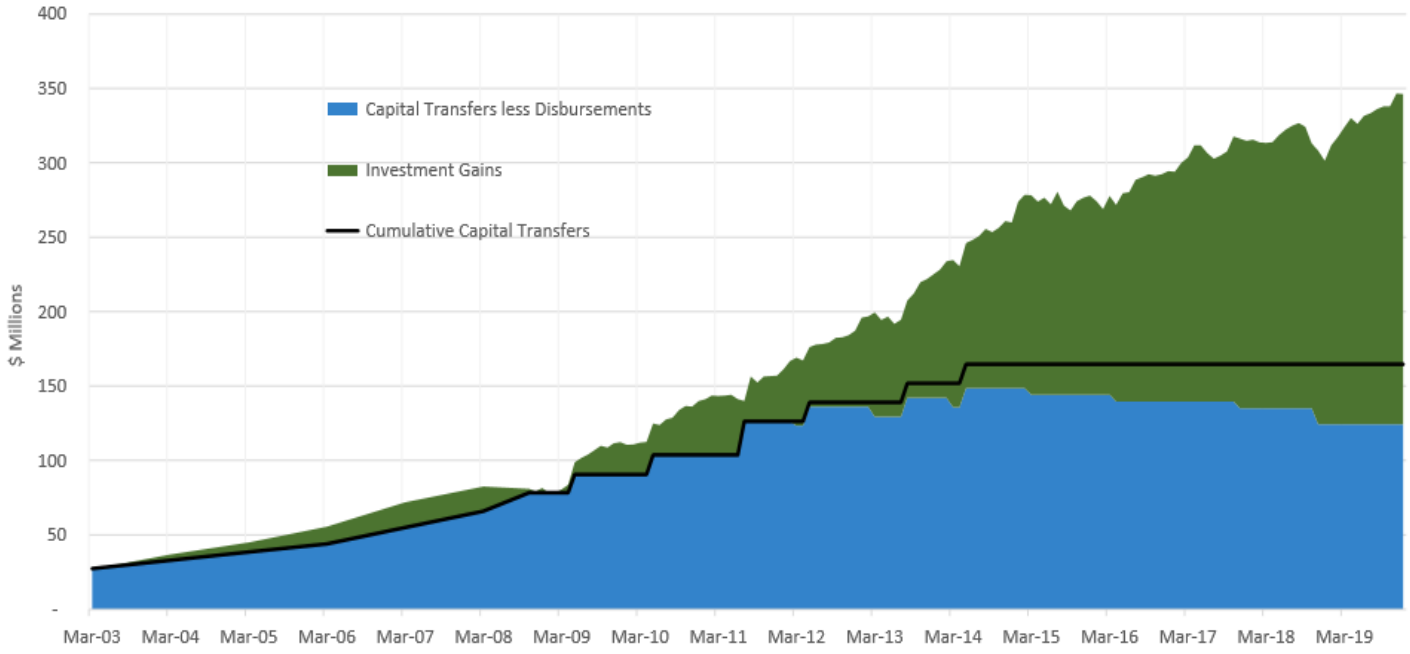
The Settlement Trust balance is a regular feature of the NLG Newsletter and its market and cost balances are reported in Annual Audited Financial Statements.

The Finance Committee meets with Trust Fund Managers twice a year to receive reports on: Trust performance, factors affecting market conditions and the investment strategies employed by Trustees.

Trust Fund Managers have reported that fund balances have exceeded benchmarks. Appropriations are listed as Designated Trust Funds in Audited Financial Statement and listed chronologically by year.

Nisga’a Settlement Trust

Nisga'a Settlement Trust
Historical Growth
Period ending December 31, 2019



As of December 2019

Market Value
$346 million

Investment Gains
$222 million

Capital Transfers
$165 million

Capital Transfers
***less* Cumulative**
Disbursements
($40 million to date)
$124 million

Commercial Agreements

- The Nisga’a Nation supported multiple large scale projects that strive for balance between providing economic benefits to citizens and minimizing adverse effects to the environment, and our lands.
- We have reached agreements on the following mining projects:
  - Avanti Kitsault Mine
  - Seabridge Gold KSM Mine
  - Pretium Gold Brucejack Mine
  - IDM – Red Mountain
- We are closely working with Ascot Resources on the Premier mines project.
- Agreements in the hydro-electric, LNG and transmission line

Nisga’a Memorial Lava Beds Park

Pretivm Resources Inc. (Brucejack)

"*We are pleased that a strong relationship with the Nisga'a Nation has grown out of our work with them over the last four years. We look forward to their collaboration as we advance Brucejack to production.*“

Pretivm President and CEO Robert Quartermain

Website

Audited Statements are posted: www.nisgaanation.ca

“Too often other First Nations are spectators to projects, you can achieve an agreement that does more for the Nisga’a Nation.” (Thomas Berger, WSN, October 29, 2013)

T’ooyak’siy’ ‘nisim’
Thank you