

ACR Aboriginal Programs Project Program Template

Program Area:	4.0	Community Relations
Sub Program:	4.1	Developing Framework Agreements
Template:	4.1.3	Athabasca Tribal Council (ATC)/ All Parties Core Agreement
Sponsor(s):	<i>Athabasca Tribal Council/Industry</i>	

1. Objective

To establish a process for First Nations communities and industry to work together to achieve orderly industrial development, mitigate impacts and ensure that Aboriginal communities share in the benefits of industrial development.

2. Description

The Athabasca Tribal Council (ATC) and the Athabasca Regional Developers (ARD) signed the Capacity Building Agreement in 1999 in response to the substantial level of resource development activity in northeastern Alberta in the late 1990s. It identified the means by which the parties work together to ensure responsible development of the oil sands in the Athabasca region. This was succeeded by the ATC-All Parties Agreement in 2003, which decentralized how the agreement is managed so resources are reached at the community level.

The intent of these agreements is to:

- **Develop community capacity.** Work with the ATC and member First Nations to develop community capacity so that ATC can achieve its mission statement.
- **Identify and resolve issues.** Identify community and regional issues and opportunities and resolve those issues that pertain to industrial development and opportunities.
- **Develop strategies for outstanding issues.** Work with the ATC on the development of strategies to obtain support for addressing outstanding First Nations issues.

The areas covered include, but are not limited to: environmental issues, employment and training, human infrastructure (health and social needs), physical infrastructure, business development, culture retention, trappers' compensation, and long-term development.

All parties commit to participating in the process of issue identification and assessment. They will define their own roles in the advocacy strategies and resolution strategies. The parties will work together to develop effective strategies to: a) resolve the identified issues related to regional industrial development that impact First Nations communities of the ATC; b) implement and monitor these strategies within the agreement; c) enhance the capacity of all parties involved; d) advocate for the resolution of the issues that are barriers; and e) operate effectively by ensuring that the partners are aware of, understand and adhere to the agreement.

3. Implementation

The parties will maintain a management structure that reflects the work required to achieve the desired results. Changes to the structure will be at the direction of the executive group. The management structure is as follows:

Executive Group

- The executive group includes the five First Nations chiefs, five senior representatives from industry and one representative each from the three levels of government.
- The executive group will meet quarterly to ensure the overall success of the core agreement.
- This group will approve business plans.

Management Committee

- The management committee comprises the industry relations directors; ATC CEO and the two regional coordinators; and representatives from industry and the three levels of government.
- The management committee will manage the operations of the core agreement by developing the required business plans, ensuring the effective implementation of the issues management process and the business plans.
- The management committee is responsible for establishing the standards of financial reporting for the industry relations corporations (IRCs) and for providing an annual report, evaluation and audited financial statement for the executive group.

Industry Relations Corporations (IRCs)

- Each First Nation community will establish an IRC. The core agreement will provide a base capacity for each community to deal with industry and the impacts of industrial development. Additional capacity will be negotiated based on the standards of consultation.

IRC Directors Group (IDG)

- The IRC directors group will provide collective advice to the management committee regarding regional issues that affect their First Nations communities. The IDG will ensure that the advocacy and resolution strategies respond to the needs of their communities.

Ad Hoc Committees and Special Project Teams

- Ad hoc committees and project teams will implement the approved business plans.
- Membership will be determined by the management committee and will be based on the work requirements of the business plans.
- All signatories are expected to provide capable representatives to undertake work on these committees as required.

Core Administration Functions

- Coordination of the organizational requirements, including meeting logistics, agendas and minutes

- Reporting and financial management of the core agreement
- Coordination of the reporting requirements for the core agreement and all associated bilateral agreements
- Coordination of communications between the parties and with external stakeholders

4. Timeframe for Results

The first ATC/ARD Agreement was signed in 1999 and expired in 2002. The new agreement was signed in 2003 and the budget has been defined and agreed upon for three years. The results are reviewed annually by the executive group.

5. Measurable Criteria

The results are measured by:

- Increase in the number of agreements negotiated between First Nations communities and industrial proponents
- Increase in First Nations access to industrial development opportunities including training, education, employment and contracting
- Increase in capacity to consult and build understanding between Industry and First Nations communities

Annually the executive group will:

- Establish meaningful criteria so that each sector can measure the results of the agreement on a consistent and comparable basis
- Establish criteria to measure their own performance within the agreement
- Review and approve the criteria established by the management committee to measure its performance
- Conduct a review of its performance in keeping with the established criteria

Annually, the management committee will:

- Establish meaningful criteria to measure, on a consistent and comparable basis, the results of the issues management process, including business plans, ad hoc committees, and special projects
- Establish criteria to measure the results of its own performance for review and approval by the executive group
- Conduct a review of its performance in keeping with the established criteria

6. Budget

\$2.3 million annually for three years has been committed. Each sector (First Nations, industry and government) contributes to this defined level of funding. Recipients of funds must ensure that monies are used only for the stated purposes and that all financial reporting is accurate and timely. The executive group will approve funding commitments for the approved business plans. The management committee will approve the implementation of budgets for the ad hoc committees and special projects, based on the funding commitments for the approved business plans.

7. Partners and Sponsors

The parties to the agreement are:

- The five ATC member First Nations (Fort McKay First Nation, Chipewyan Prairie First Nation, Mikisew Cree First Nation, Athabasca Chipewyan First Nation and Fort McMurray #468 First Nation)
- Industry (Encana Corporation, Syncrude Canada Ltd., Suncor Energy Inc., Albion Sands Energy Inc., Petro-Canada Ltd., Nexen Petroleum Canada, OPTI Canada Inc., Japan Canada Oil Sands Limited, ExxonMobil Canada Ltd., Enbridge Inc., Deer Creek Energy Ltd., ConocoPhillips Canada, Canadian Natural Resources Limited, Alberta-Pacific Forest Industries Inc., ATCO Group of Companies, Devon Canada Corporation, Kinder Morgan Canada Inc.)
- The three levels of government (federal, provincial and municipal)

8. Experience with the Program

The Agreement initially served as a unique approach to the potential benefits and drawbacks produced when a collection of major industrial projects are introduced into a region with a number of Aboriginal communities. It represented a starting point whereby Aboriginal communities and industry have agreed to partner with the cooperation of the various levels of government. The parties have committed to improving communications and increasing opportunities for the First Nations communities to participate in regional industrial development, while mitigating the impacts of this development. The benefits for industry include timely reviews of proposed projects, and cooperative and collective resolution of regional issues.

Comments from developers and ATC representatives reflect a general feeling that the first three years of the agreement have produced a number of successes, particularly in the areas of environment, employment, education and training. The main accomplishment has been to create a foundation for future activities based on the positive relationships that have developed among the agreement signatories. Relationships work in two directions. Athabasca area companies are now thinking about Aboriginal people before they take action and vice-versa.

9. General Applicability

This agreement may be used as a process model in other jurisdictions where resource development requires First Nations communities and industry to work together to mitigate impacts and ensure that Aboriginal people share in the benefits.

10. Additional Information or Support

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