



Legislative Assembly of Alberta

The 27th Legislature
Fourth Session

Standing Committee
on
Public Safety and Services

Department of Aboriginal Relations
Consideration of Main Estimates

Wednesday, March 2, 2011
6:30 p.m.

Transcript No. 27-4-1

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Fourth Session**

Standing Committee on Public Safety and Services

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Department of Aboriginal Relations Participant

Hon. Len Webber Minister

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Wednesday, March 2, 2011

[Mr. Drysdale in the chair]

**Department of Aboriginal Relations
Consideration of Main Estimates**

The Chair: I'll call this committee meeting to order and welcome everyone to the meeting. I will remind everyone that the usual rules regarding electronic devices and food and beverages in the Chamber continue to apply.

Members and staff should be aware that all the proceedings of the policy field committees in their consideration of the budget estimates are being video streamed. The minister whose department estimates are under review is seated in the designated location, and all other members wishing to speak must do so from their assigned seat in the Chamber. Any official or staff member seated in the chair of a member must yield the seat immediately should a member wish to occupy his seat.

Note that the committee has under consideration the estimates of the Department of Aboriginal Relations for the fiscal year ending March 31, 2012.

I'm just going to go through a review of the process so that everybody is aware of it. The speaking order and times are prescribed by the standing orders and Government Motion 5, passed on February 23, 2011, and are as follows: (a) the minister or the member of the Executive Council acting on the minister's behalf may make opening comments not to exceed 10 minutes; (b) for the hour that follows, members of the Official Opposition and the minister may speak; (c) for the next 20 minutes the members of the third party, if any, and the minister may speak; (d) for the next 20 minutes the members of the fourth party, if any, and the minister may speak; (e) for the next 20 minutes the members of any other party represented in the Assembly and any independent members and the minister may speak; (f) any member may speak thereafter. Within this sequence members may speak more than once; however, speaking time is limited to 10 minutes at a time.

A minister and a member may combine their time for a total of 20 minutes. Members are asked to advise the chair at the beginning of their speech if they plan to combine their time with the minister's time.

Committee members, ministers, and other members who are not committee members may participate. Department officials and members' staff may be present but may not address the committee.

Three hours have been scheduled to consider the estimates of the Department of Aboriginal Relations. If debate is exhausted prior to three hours, the department's estimates are deemed to have been considered for the time allotted in the schedule, and we will adjourn; otherwise, we will adjourn at 9:30 p.m.

Points of order will be dealt with as they arise, and the clock will continue to run.

Vote on the estimates is deferred until Committee of Supply on April 20, 2011.

Written amendments must be reviewed by Parliamentary Counsel no later than 6 p.m. on the day that they are to be moved. An amendment to the estimates cannot seek to increase the amount of the estimates being considered, change the destination of a grant, or change the destination or purpose of a subsidy. An amendment may be proposed to reduce an estimate, but the amendment cannot propose to reduce the estimate by its full amount. The vote on amendments is also deferred until Committee of Supply, April 20, 2011. Twenty-five copies of amendments must be provided at the meeting for committee members and staff.

Written responses by the office of the Minister of Aboriginal Relations to questions deferred during the course of this meeting can be tabled in the Assembly by the minister or through the Clerk of the Legislative Assembly for the benefit of all MLAs.

At this time I'll invite the minister of the Department of Aboriginal Relations to begin his remarks.

Mr. Webber: Great. Well, thank you, Mr. Chair. Thank you, hon. members. Just before I present our business plan and our proposed budget, I'd like to introduce my senior officials here today. We've got my wonderful deputy minister, Maria David-Evans, to my right here along with Donavon Young, assistant deputy minister of First Nations and Métis relations. I've got Mr. Stan Rutwind over here, my assistant deputy minister of consultation and land claims, and I've got my assistant deputy minister of corporate services, Lorne Harvey, here today as well. Joining us up in the members' gallery are Mr. Thomas Droege, my executive director of Métis relations; Marie Iwanow, my director of communications; also, Howard Wong, the executive director of finance and administration. Thank you all for coming and helping me out here today. I also want to acknowledge Natalie Sigalet. She is my research officer in government members' office. Natalie, thank you for the work that you do as well.

Colleagues, the Ministry of Aboriginal Relations deals with complex government-to-government issues going back centuries. Now, our budgets and business plans must take into account the culture and the history of the quarter million aboriginal people living in Alberta. In our world relationships can make or break policy. We strategically invest the time and the effort to build a trust with our stakeholders that must precede policy and program delivery. You will see that investment reflected in our proposed budget and business plan.

Now, this ministry is often asked to quantify the value of relationship building. I believe our growing list of accomplishments and outcomes will speak for themselves. Like other departments we reduced operating expenses last year and left vacant full-time employment positions unfilled, all in support of our government's plan for a strong economic recovery.

Despite these reductions, we've made significant progress in six key priority areas. We continue building on the MOUs coming out of Alberta's protocol agreement on government-to-government relations. We helped in the settlement of the Bigstone Cree Nation land claim, the biggest and most complex land claim in Alberta's history. We've made important progress on the consultation policy review, and we provide support for the growing needs of urban aboriginal people here in Alberta. We also maintain our focus on First Nations economic development, and we continue to support our Métis people. These are just a few highlights from last year to show that we are building on a solid foundation of success and looking forward with optimism to the year ahead.

The business plan that you have before you supports goal 9 of the government of Alberta's strategic business plan in that Alberta will have strong and effective municipalities and self-reliant aboriginal communities. Our business plan for 2011-12 outlines our priority initiatives under our two key goals: one is supporting our aboriginal communities and people to fully participate in Alberta's economy and society; and two, co-ordinating Alberta's approach to aboriginal consultation and land claims. We need to strike the right balance between fiscal discipline and the necessary spending to protect these priorities and our reputation as a trusted government partner.

Our spending estimate for 2011-12 is \$146 million. To get an accurate picture of how this compares to last year, I need to flag two things about this number. First, we need to exclude last year's

one-time settlement commitment of \$41 million for the Bigstone land claim that I mentioned earlier. When you take this out, it appears that our estimates have increased by \$1.8 million, or about 1.3 per cent over last year.

6:40

I also want to flag that 79 per cent of our spending estimates are allocated to the First Nations development fund. This is one of the few areas where we're projecting an increase this year. As most of you know, the FNDF is not funded out of general government revenues. The funds come from a portion of the revenues from government-owned slot machines at the five First Nations casinos in the province. This money flows through my ministry out to First Nations across Alberta, who apply for project funding. This year we are estimating that about \$115 million in FNDF funding will support more than 200 economic and social development projects. This is a \$5.5 million increase over last year's forecast due to a projected increase in slot machine revenue.

What's important to note is that once you pull out the FNDF flow through, only about \$30.4 million, or less than one-quarter, of Aboriginal Relations' proposed budget is slated for ministry initiatives. This is a \$3.7 million reduction over last year, and it reflects the fiscal discipline we need to support a tough but fair provincial budget. I think it's important to reassure you and all Albertans, particularly the aboriginal communities, that the ministry's priority initiatives will not be affected. The \$30.4 million will be dedicated to our two key areas of service: First Nation and Métis relations and consultation and land claims.

Now, with respect to First Nations and Métis relations the 2011-2012 budget is \$14.3 million. This will go toward priority areas like increasing social and economic opportunities for the growing number of aboriginal people living in urban centres. This includes \$757,000 for 20 friendship centres across Alberta. It includes \$100,000 each to service organizations in Edmonton, in Calgary, and Lethbridge to better respond to their local aboriginal community priorities.

Since many other departments provide a wide range of programs and services in urban areas, we will dedicate \$100,000 to develop a new provincial framework or strategy that will guide and co-ordinate our collective efforts to support this growing aboriginal population.

In addition to an urban aboriginal focus, we remain committed to aboriginal economic development, providing more than \$2 million in direct grants through the First Nations economic partnerships initiative, or, as we like to say, FNEPI. This appears as a \$1 million reduction in the aboriginal economic partnership's line item, but this is due to the scheduled end of federal funding that my ministry was administering through the federal community development trust initiative.

Our Métis relations branch has experienced some budget changes due mostly to the end of the three-year interim conditional grant funding agreement between Alberta and the Métis Settlements General Council. Over the past three years Alberta has invested \$18 million to support the governance, accountability, and sustainability of the settlements. This agreement came to its scheduled end this month, so our estimates have been reduced accordingly.

The budget for our second key area, consultation and land claims, will be just over \$10 million. Now, this is a similar amount to last year and critical to maintaining our province's competitiveness in resource development. Our work in this area helps ensure our government meets its legal duty to consult with First Nations while still respecting treaty rights.

I hope you'll agree that Aboriginal Relations is focusing its resources and efforts on what it does best, and that is building relationships between Alberta and aboriginal communities and leaders to support aboriginal economic and social development. We've aimed for a balanced approach to meet provincial objectives for restraint while maintaining our capacity to respond to the needs of First Nations and Métis communities in the province.

At that, Mr. Chair, I thank you, and I look forward to answering the questions tonight.

The Chair: Thank you, Minister, for your comments.

For the hour that follows, members of the Official Opposition and the minister may speak. I assume, Dr. Taft, that'll be you.

Dr. Taft: You assume correctly.

The Chair: I guess just advise whether you wish to share your time with the minister.

Dr. Taft: The minister indicated that he'd like it where I'll speak for a few minutes and raise a few questions, and then he'll respond for a few minutes rather than back and forth.

Mr. Webber: Our discussion was that we will do the standard where you've got your allotted 10 minutes. So you go and ask the questions that you want to ask, then I will take my 10 minutes and try to answer as many questions as I can.

Dr. Taft: Fair enough. I may not take up all of my 10 minutes, and you don't have to take up all of yours.

Am I okay, just to *Hansard*? I don't need to stand up, do I?

The Chair: They told us you had to stand up so the cameras can see you for video stream.

Dr. Taft: It just adds to the formality, I'm sure. All the people at home are watching the cameras.

Thank you. I appreciate the comments from the minister. You know, I agree it's an important department and important work with the original people of Alberta and of Canada, who also happen to be one of the fastest growing populations and one of those in highest need and with some of the most complex social and legal challenges. I'm sure your department faces a lot of challenges.

I couldn't help noticing in the Budget 2011 strategic plan and ministry government plans that goals 1 and 2, which the minister briefly mentioned, are different from last year's. They've changed. I continue to be frustrated, as I have been since I became a critic in this area, with how vague the performance measures are, and the minister anticipated some of that in his comments. But I think I'm speaking, probably, for all Albertans, for most Albertans and most members of this Assembly in that when I look at a department that has a proposed budget of \$145 million and a population with such serious needs, whether they're educational or employment or poverty or health or whatever, I think there are opportunities to measure and to even quantify, you know, graduation rates, health status, infant mortality, diabetes rates, rates of incarceration, rates of employment, rates of income. There are all kinds of numbers that I would like to see here because if we're putting in \$145 million, almost \$146 million, I think the people of Alberta have a right to see what the improvements are.

Other departments – and I realize this is a bit different, but I'm not going to buy that it's that different – do address, for example, in education high school completion rates. In health care they talk about all kinds of health indicators. When I read the performance

measures here, I just find they fall really short. That's sort of my opening comment, and I continue to put this challenge to the minister and his staff. How do we know, other than the fact that we're going to have a number of agreements, how do we know that we're really achieving anything

I find the goals also quite general, and I'm particularly concerned, Mr. Minister – and I'd be interested in any comments you might make – about goal 2. Really, when you take apart the syntax of that sentence, goal 2 is to enhance resource development certainty. When you read that sentence, that's the objective of the sentence. This department has put in service of achieving certainty for the resource industry by working in particular ways with the aboriginal community. It says in here, and I'm quoting from the goal, the last phrase: “by reconciling the rights of Aboriginal communities and the interests of industry.”

From what I read here, in fact, I think anybody looking at the grammar of that sentence would have to agree that, really, one of your two goals in this department is to better serve the resource industry. I just think that's upside down. I think that would be a fine goal for the Energy department, but I'm not convinced it's a good goal for this department. If the minister wanted to comment on that goal, I would be quite interested to hear his explanation.

6:50

Again, I just need to get this into the record, Mr. Chairman. The performance measure for goal 2 is simply the number of First Nations with a single point of contact for consultation. It's worth noting that the actual measure of that in '09-10 was 44. The target for this year is 44, the target for next year is 44, and the target for the year after that is 44. That's not much of a performance measure. I think we're just aiming way too low here. I have a lot of trouble with how this department has set out its reason for being.

Those would be my opening comments. I don't know if the minister is prepared. I see I've taken about half of my time already. Does the minister want to respond?

Mr. Webber: You can continue.

Dr. Taft: Okay.

An Hon. Member: You can go back and forth.

Dr. Taft: He'd prefer to handle it differently.

If we were to look under the budget, specifically the First Nations and Métis relations, the minister did explain, I think, the shift in line 2.2, the drop there from basically 3 and a half million dollars to 2 and a half million dollars under aboriginal economic partnerships as a result of cuts in federal funding. But I would ask for the minister to explain why in line 2.4 – and I'm on page 22 here of the budget – which is Métis relations, we're seeing a very significant increase. I think it's about a 72 per cent increase over the two years, going from about \$3.6 million to \$6.1 million. I'm sure there's a good explanation for that.

With those comments, Mr. Minister, I'll turn it over to you.

Mr. Webber: Okay. Well, thank you, hon. member, for those questions. Let's start with your last question because I'm on that page right now, as you were asking me with respect to 2.4, Métis relations, and the \$3 million increase here. Now, given that there is no specific funding to Métis settlements for governance and services next year, some funding may be required in the event that essential services cannot be provided to our members, or the members of the Métis community. However, we expect all settlements to be able to provide essential services to their members.

Essential services primarily include water, sewer, solid waste disposal, and road maintenance.

Settlements, like municipalities, are able to access municipal grants, and like municipalities, some settlements are in better shape than others, particularly those with a good resource base. A significant difference between municipalities and settlements is that the province does have mechanisms to deal with municipalities who are unable to provide the basic services. This includes, you know, the amalgamation of another municipality to create a more solid tax base. This is not the case with settlements, of course. Their land is private and protected by an amendment to Alberta's constitution. This was part of the Métis settlements legislation in 1990 that stayed litigation against the province. Basically, that's the increase with respect to those numbers there on 2.4 that you had asked about, hon. member.

Now, with respect to performance measures you had mentioned how vague you thought these performance measures are and that things like graduation rates and mortality rates and incarceration rates should be more of a performance-type measure that you'd like to see. If I look at goal 1 here, “Aboriginal communities and people fully participate in Alberta's economy and society,” we can see that under our performance measure, which is the number of strategic economic initiatives and economic capacity building projects undertaken by First Nations and First Nations organizations, I look at this as a performance measure that is, I think, a good performance measure. You can see here that for our last actual, back in '09-10, we had 32 initiatives that were undertaken. Our target for 2011-12: we're at 20, and the target for the next years is at 20 as well. The reason for the decrease from 32 to 20, if I understand correctly, is the reduction in funding to this particular area of economic initiatives.

Dr. Taft: Is that a federal reduction?

Mr. Webber: A provincial reduction in the budget. That's the reason for the decrease of these initiatives there.

Now, goal 2: you referred to the measures there as well, the number of First Nations with a single point of contact for consultation. Of course, that has not changed from last year's actual to our target for the next few years, at 44 single points of contact for consultation. That particular performance measure, I think, is a good one as well. It indicates that we are working on areas with respect to being able to have a single point for industry, to be able to go to a First Nations community and have one single point of contact to indicate to them their intentions or what they would like to do. It's just a very streamlined way of indicating to the aboriginal communities to have their interests reflected back to industry as well and their concerns with any type of a development that may go on in their particular area.

So we've got these two performance measures which I feel are fairly good performance measures. I understand what you're saying, hon. member, with respect to maybe some more specifics with respect to graduation rates to reflect what we are doing with education or mortality rates or incarceration rates, but I would suggest to you that when the estimates are up for Education, perhaps bring that up to that particular minister, and bring incarceration rates up to the Solicitor General when the time comes.

With that, I guess I will give you more time now. We are back to a back and forth, which is something that we can do.

Dr. Taft: Sure. Sounds like it's going to work. Thank you. I appreciate your effort at explaining that. I don't take a lot of reassurance from some of this. I mean, the performance measures:

the one is just maintaining what's been in place since '09-10, and the other is actually a decrease, so those are pretty disappointing.

However, I would actually ask if you or your officials could provide some of the details under line 2.4. If I understood the minister's explanation properly, that increase in line 2.4, which is Métis relations, had to do with, shall I say, the equivalent of municipal infrastructure. I might have misunderstood there, but perhaps you could follow up with just a fairly simple tally of what's underlying that budget increase. I'm at line 2.4 on page 22, voted expenses. We don't need to dwell on that. I just was trying to follow the minister's explanation.

7:00

If I were now to just shift a little bit, Mr. Minister, to the large amount that flows through in program 4, the First Nations development fund. You know, to the extent that I understand that fund, it's essentially the department administering revenues that come in from casinos on First Nations, and that's a system that's been in place for a few years. If we can maybe take a few minutes now to just talk about that.

I'm wondering if the minister would be able to talk a little bit about the possibility, I would even say the risk, of uneven economic development. I know there are mechanisms in place for mitigating that, but the five First Nations that actually have casinos seem to be in a stronger position than the remaining First Nations in terms of opportunities for economic development, not just because they get money from the casino but because the casino itself creates jobs and spinoffs: you know, a gas station nearby or a nearby hotel or whatever.

So if the minister could speak a little bit about any assessment that's being done of how this flow-through program is now working. How many years has it been in place? I'm trying to think. Is it four years, something like that? It's soon coming up time – maybe you're already ahead of me on this in terms of taking a look: okay; it's been in place for four years, so how's it going? Are we seeing everybody, all First Nations, benefit equally? Are we seeing that some benefit a lot more than others? I'd appreciate any comments on that.

I'll carry on since the minister wants me to rattle off a few other issues. Relating to this whole process I just want assurance from the minister about how often the casinos themselves are audited and how often all the monies through this fund are audited, if it's once a year, if there are ongoing safeguards in how the casinos are operated. How is that handled? Is it maybe subcontracted to the Alberta Gaming and Liquor Commission or to some other agency? Casinos are notorious for irregularities, shall we say. So I'd like to know what safeguards, audits, and performance assessments are in place to make sure that the casinos are actually being run squarely.

While we're on that particular program, the First Nations development fund, I just want to note for the minister – maybe I'm throwing a lot at him here – that the most recent annual report from the department explains that the First Nations that access the fund set their own priorities and oversee implementation of the projects. So I would like an explanation given the amount of money that's involved in this budget. What is the process for assessing grant applications? Are any of them ever turned down? Who helps the bands prepare them, or do the bands do it entirely themselves? What criteria – what criteria – turn up? I would ask, Mr. Minister: do those criteria somehow relate back to the performance measures or the goals or the issues that I raised, like education or health status or things like that? To put it in a phrase to help you focus my somewhat rambling comments, what is the process for assessing grant applications?

The Chair: The bell just indicated the first 20 minutes. There will be two more 20-minute segments. It just rings every 20 minutes.

Dr. Taft: Okay. So I ignore the bell for now?

The Chair: Yeah. Just keep going.

Dr. Taft: Just keep going. Okay.

Then I'd like to know from the minister what the current reporting processes are for those grants. We have this pile of money that's coming in. We receive a grant from a band asking for X dollars. You assess the grant. How is that assessed? Then how do you follow up and hold them to account? That's what an awful lot of good budgeting is about.

Presumably, sometimes the grants fail or don't go quite as planned, maybe a lot of the time. I don't know. Maybe never, but if you tell me that, I'm going to be skeptical because reality would suggest otherwise. So what happens if a band or a First Nation fails to abide by the terms of an agreement? What happens if they diverge from the nature of the application? How do you hold them accountable? How do you reconcile the purpose of the funding with what is actually achieved? What are the reporting requirements? I'm sure some of these answers will be straightforward, but I'd be curious. How do we know that the reporting is true?

I reflect on recent allegations coming out of one of the bands. I'm going to be careful not to name it because I might get the wrong band, but the one where there's been a controversy not involving this government but federal funding on education and falsifying records about the number of students and so on. We're talking about human beings, and once in a while things get falsified. How do we know? How do you make sure that that's not happening in your program, Mr. Minister?

There are also concerns – and we get these calls at our office – that these lottery grant funds are used and, indeed, abused for reelection purposes on bands. Heaven forbid that governments would ever do that sort of thing. We get concerns phoned in or even written to us, our caucus, that elected officials on bands sometimes use these lottery funds as, in effect, slush funds to make sure that they continue to win their band elections. Is there a process in place to hold that money to account?

So there's a long list of issues there, all relating to the First Nations development fund. I look forward to the minister's comments. I'm assuming that if you can't answer them all right now, maybe you'll follow up with a written response, as a lot of ministers do. Thanks very much.

Mr. Webber: All right. Well, thank you. Absolutely, if I don't get to all your questions, we'll certainly get you something in writing, hon. member.

With respect to your questions about the revenue from the First Nations casino slot machines they are split up into four different areas. Fifteen per cent of the revenue generated from these slot machines, of course, goes to the operators of the five casinos in the province of Alberta. The host charity will also receive 15 per cent of the revenues. Along with the First Nations development fund, which we administer in our ministry, we collect 40 per cent of that slot machine revenue. Then 30 per cent goes toward the lottery initiatives throughout the province.

7:10

Now, with regard to the FNDF 40 per cent that we take in as a ministry on a flow-through basis, the host First Nation of the casino, including Enoch, Alexis, Cold Lake, Tsuu T'ina, and the Stoney First Nation communities, will receive 75 per cent of the funding that flows through our department. The nonhost First

Nations receive the rest, 25 per cent, and they include 40 First Nation communities throughout the province here. With respect to the nonhost First Nations the 25 per cent of revenue that goes there out of our fund is divided as well. Twelve point five per cent of the revenue there is divided by the number of First Nation communities, which is 40. It's divided by the population of the First Nation community to come up with a figure. I won't get into detail about the split between the host First Nations.

Anyway, that is sort of the breakdown of the keno slot machines. The First Nation communities out there all have agreed on the formula that we have come up with. So it has been agreed upon by the First Nation communities out there.

Now, the FNDF-funded projects are contributing to, obviously, the overall improvement of the lives of the First Nation people all across Alberta. You would not argue with that.

Dr. Taft: How do I know?

Mr. Webber: Bear with me; I will let you know. It does contribute to building stronger and more vibrant First Nation communities.

Now, each First Nation community sets their own priorities when it comes to the proposals that they want to submit, and they do submit these proposals for either community, economic, or social development projects as long as it's supported by their band council resolutions. As a band their council will meet and determine what their priorities are and what projects they'd like to submit for application.

In 2009-2010 the First Nations development fund provided approximately \$105 million to support about 233 applications. First Nation priorities were in areas, for example, of land-use planning, school programming, housing and community centre construction, projects which engage youth and support the elders, and business start-ups and expansion-type initiatives.

I can give you some examples of some success stories out there. For example, the Piikani child care centre was built at a cost of over a million dollars from the First Nations development fund, which was money well spent. There was a \$350,000 truck stop built on the O'Chiese First Nation community. There was \$933,000 for road paving on the Cold Lake First Nation reserve. So there are a number of success stories out there and a lot of good work going on with respect to the dollars coming out of the First Nations development fund.

Of course, the First Nations must sign a FNDF grant agreement and submit their applications. These applications that they submit to us have to be detailed in project description and budget details in order to receive this funding. It's a very detailed application form. And under the agreement First Nations must provide a financial report on the use of the funds, both annually and at the completion of each project.

There is strict financial reporting that is required, and our staff here in the Ministry of Aboriginal Relations, the FNDF funding staff, review these reports and verify the compliance. Now, projects over \$100,000 require an accountant's sign-off as well for a sign-off on the financial reports or the submission of an audited financial statement.

Now, since 2008 audits are also conducted by our government. To date 27 First Nations have been audited by our department, and this represents about 86 per cent of all the FNDF funds that are paid out. So there's a considerable amount of auditing going on with respect to the dollars coming out of the FNDF. I think that the auditing process that we have in place is very sufficient.

Audit concerns identified can be addressed through a number of means, including the repayment of funds. You had indicated: what if the band failed? Then there is a requirements for funds to be

repaid if that was the case. Now, FNDF grants are reported to Albertans with the same level of transparency and accountability as other grant programs are within government.

Aboriginal Relations developed and distributed the first annual report on FNDF back in 2008-2009, and it did a similar publication again in '09 and '10. This publication is available on the ministry's website, and I could give you the website if you want it, hon. member. It is www.aboriginal.alberta.ca. It's also a publication in hard copy, which is available in my office, and I would be happy to either table it or give it to you or whatever you wish. This particular publication has also been mailed out to all the chiefs in Alberta for their information. A public list of all FNDF funds paid to First Nations is available on the Alberta lottery website as well, and the website for that would be www.albertalotteryfund.ca.

So there's a lot of transparency and accountability for these grant programs that are coming out of the First Nations development fund.

With that, I think I have answered some of your questions there, hon. member. I guess we will continue to go back and forth like we had agreed upon.

Dr. Taft: I appreciate the minister's comments there. My questions are really intended to just make sure that the dollars are spent in the way that they're intended and accountability is developed and strengthened.

I'd like to take a few minutes now to talk about programs. I'm on page 22 of the estimates, and under programs, consultation and land claims, land and legal settlements. The minister mentioned briefly in his opening comments the recent settlement with the Bigstone Cree, and in fact I read his comments from a couple of nights ago, I think it was, concerning the supplementary estimates, and that's \$41 million. I'm pleased to see a settlement achieved, but I also have questions, of course, about other settlements that are presumably outstanding and, in fact, I think, probably a large number of them. I had the number in my head at one point, but I don't have it now.

7:20

My concern as a member of this Assembly and a taxpayer of Alberta is there could be an enormous liability out there for settlements like the one that we just achieved. There could be hundreds of millions of dollars, there could be billions of dollars of liability for us as we line up to achieve other settlements. There's no provision for this at all in the budget even though just a couple of nights ago we voted an additional \$41 million. I'm a bit unnerved as a member of this Assembly that somewhere out there is this huge liability that the minister or his staff must have some information on that the rest of us as members of this Assembly just don't have a clue about. I'm concerned there's no money set aside in this year for claim settlements – yeah, it's just a blank in here – and that as a result there will be a nasty surprise.

My question to the minister: exactly how many claims remain to be settled? Is it 30 or 40 or 20 or whatever? I'm guessing that the minister or his staff know. Or they can send it to me later. What is the process used in your department, Mr. Minister, to plan for such significant sums? There are going to be many of them, I assume, coming up. Is there any planning process in co-ordination with Treasury or somebody else so that the taxpayers aren't completely surprised? It just feels like a great big, huge unknown with a massive liability, and we're not being told anything. I would appreciate some answers or explanations on that.

Just to recap, because there is lots of chatting going on there, how many claims remain to be settled, even if it's in order of magnitude? I know it's an ongoing negotiation, so if the settle-

ment is going to be made in five years, you don't know exactly what it's going to be. But are we talking about billions of dollars or tens of billions or hundreds of millions that need to be considered, and what's the process for planning for those considerations?

Those are some questions under programs, consultation and land claims, land and legal settlements.

Now, I was going to move on to a completely different topic. Maybe we should just wrap up on this one, Mr. Minister.

Mr. Webber: Sure. It seems to work better that way.

Dr. Taft: Sure. Yeah.

Mr. Webber: All right. Well, thank you for that. Your question was about what outstanding land claims are out there currently. Well, actually, there are four treaty land entitlement claims that have been validated by the federal government. Now, these are Fort McMurray, the Lubicon, Beaver, and Sunchild. An existing Treaty 8 claim for the Doig River First Nation around Fort St. John, B.C., may have some minor cross-border implications related to the selection of some land in Alberta as well. So I guess there would be five.

The estimated amount of provincial Crown land required to address these outstanding claims: in Fort McMurray about 20,000 acres; Beaver, about 12,000 acres; Sunchild, 15,000 acres; and Doig River, about 5,000 acres. Now, these amounts are considered small when compared to our recent Bigstone settlement, which included about 140,000 acres of provincial Crown land, which is quite significant.

The amount of reserve land in question with respect to the Lubicon claim is approximately 246 square kilometres, or about 61,000 acres. Since 1988 Alberta has been protecting the land that the Lubicon have indicated that they would like for their eventual reserve, and we've voluntarily refrained from issuing any surface or subsurface dispositions with respect to it. Negotiations on this particular claim, however, reached an impasse back in 2003 because the Lubicon and the federal government could not reach an agreement on matters such as the monetary compensation and the self-government. So land was not the issue with respect to the government's dealings with the Lubicon.

Now, a final agreement is one that has to be executed by Alberta, Canada, and the First Nations, as you know. Any compensation monies are usually paid immediately following the execution of the final agreement. Fully implemented agreements are those where provincial Crown lands have been transferred to the federal government and set aside as Indian reserves for the use and benefit of the First Nations. Generally it takes about three to five years to fully implement agreements, and this time is required for the survey of the settlement lands, the plan approval, the plan registration at land titles, the resolution of third-party interests, and the preparation of legal descriptions and the approval by cabinet of the orders in council transferring administration and control of the lands.

Now, as of last year all treaty land entitlement agreements, land exchange agreements, and other land-related agreements have been fully implemented with the exception of the recent settlements for the Bigstone Cree Nation, the Peerless Trout First Nation, and Siksika.

The recently approved Bigstone final agreement resulted in the creation of the new Peerless Trout First Nation, as you are aware. Under the terms of the agreement Canada and Alberta, as I indicated a couple of days ago, will provide cash payments of \$220 million and \$28 million respectively, so \$220 million from the

fed to our \$28 million from the province. Alberta, again, will also provide 140,000 acres of provincial Crown land to the federal government for reserve creation and also two new elementary schools to replace the existing facilities in Peerless Lake and in Trout Lake.

That's just sort of a little summary of what is going on with respect to the current land claims here in Alberta, hon. member. I think that I just might leave it at that, hon. member, and hopefully I did answer the questions with respect to that.

I guess with respect to planning for future land claims that may arise, it's really quite difficult to plan with respect to anything that arises other than what we have here. Again, we do work well with our federal counterparts and with the First Nation communities out there. As far as we know, these are the four areas, actually five areas including the cross-border issue in Fort St. John with the Doig River First Nation. The five treaty land entitlement claims, again, have been validated by the feds, so I'll just leave it at that.

Dr. Taft: Thanks. I see we are down to our last 10 minutes or so.

The Chair: Sixteen minutes.

Dr. Taft: Sixteen minutes. Okay.

I appreciate it. That was very informative, Mr. Minister. My first question would be really be a supplemental. Of the five land settlements that you listed – Sunchild, Lubicon, Doig River and so on – my question would be: once those are settled, however long that takes, are there more, or would that be it? My understanding is that that would be it. That's very encouraging, that there's an end in sight. Terrific. That would be good for everybody.

7:30

Then, Mr. Minister, if I can develop further, perhaps, some of the questions around land and treaty rights, and that would concern water on First Nations land. Now, I don't know if the minister could inform me about what this government's position is in terms of water rights when the water is on the land of First Nations people. Does the province take the position that the water is not part of the treaty rights or that the water is part of the treaty rights? This obviously is a hugely important issue as we're moving into, potentially, an era where water is more and more valuable. The South Saskatchewan River basin comes to mind, but we could also be talking about the Athabasca River basin or any of them. So I would be interested to hear how water rights are handled by this government and what this government's position is.

In a somewhat related question I'm thinking of the First Nations settlements and Métis settlements down along the Athabasca, particularly those downstream from, say, the oil sands plants. There are, as this minister knows, a lot of questions around the health impacts of contamination of the water and the air as a result of oil sands development. The Fort Chip issue comes up quite often. There have been some health studies and such. I am wondering, since we are concerned about improving the health status of our First Nations and Métis citizens, what the minister is doing to ensure that the priorities of the people in those communities are being addressed by the Minister of Environment or the minister of health.

I guess in some ways I'm asking this minister: is he an advocate for First Nations people on these kinds of issues? Does he advocate for them within government caucus or within the cabinet? Does he raise his voice at the table when cabinet meets, to make sure that those communities have their concerns met? And would he, for example, ever allocate funding from his budget to support a

health study of the people of Fort Chip or other communities like that? So that would be, for sure, a set of answers I'd like to hear.

We also spoke – and I think the business plan specifically talks about this on page 26. Yes. Under some of the priority initiatives it talks about education. We are at point 1.5, and this is on page 26 of the business plan. Just for the record I'll read it. "Strengthen strategic partnerships with Aboriginal organizations, governments, industry and others to address barriers and improve educational outcomes for Aboriginal people." Hugely important. A really, really fundamental challenge that we as a society must rise to and meet, yet we'll never know from the way the business plan is written whether we ever achieve that priority because it doesn't turn up in the performance measure.

So I'll ask the minister this. What is this ministry planning to do in this year with this budget, this \$140 million, to improve educational outcomes for aboriginal people? It is one of your priority initiatives. Of course, I go back to my question which has been a theme for all the years I've been a critic: how will you know if you've done anything that relates to that particular priority initiative? You know, the number of First Nations people completing high school or graduating from university or what have you. I'd love to hear that. I'd be excited. I'm raising these issues because I want to get excited and supportive of the minister's department.

I'm going to take my seat here because we're down to probably the last six or eight minutes and I've asked a few big questions, so I'll allow the minister to talk.

Mr. Webber: All right. Well, thank you again, hon. member. I'll start with your initial question with regard to: are there any more land claims out there? I think that we pretty much told you that once these are settled, the ones I referred to earlier, that would be it as far as we're concerned.

With respect to your question on water and water rights under the Water Act Alberta owns all the water in Alberta. The water belongs to Albertans, to us. It is viewed that water is not a treaty right and that water belongs to all of us, all Albertans, including the First Nations, who are Albertans as well.

Now, with respect to what's happening up in Fort Chip and your questions there, you know, our government does acknowledge the concerns and frustrations of the people in the Fort Chip area, and we certainly as a ministry and as a government remain very committed to working with the community of Fort Chip. Officials, including myself, from Aboriginal Relations and Health and Wellness, the hon. Minister of Health and Wellness and officials from his department, and Environment as well have visited Fort Chipewyan many, many times and have discussed community concerns with the First Nations community and the Métis leadership up there.

Of course, we are building, I believe, fairly solid relationships with them, and we are here to find the solutions to their issues. We are working in collaboration on the priority areas identified by the First Nations and the Métis leaders up there. Progress is being made on the priority of community health and well-being. Over the last year – and I know you're aware of this, hon. member – the physician working group, which includes community doctors and senior medical officials from the province and Health Canada, have developed options and wish to pursue a collaborative community health study. Discussions between the government of Alberta and First Nations and Métis leadership are also ongoing regarding the priority of community-based monitoring in the Fort Chip area. Now, these are complex issues, as you know, and it's certainly going to take time to resolve these particular issues, but we do recognize the importance of community engagement and

respect the decision to hold a broader community consultation before moving ahead.

Progress is being made, of course, as I mentioned, and in this physician group as well they're working with the community to develop options. These options were presented to the Nunee health board society in Fort Chip back in August of last year, and we are eager to proceed with a collaborative community health study. The Nunee health board society now has a new board, as you are aware, and we as a government would like to meet with the new members to discuss the physician working group options as soon as possible. Again, progress is being made in Fort Chip even though you may think otherwise. There are a lot of good things happening with respect to Fort Chip.

7:40

With respect to my involvement as a minister you had mentioned: how do I represent the community? What do I do in caucus? Well, of course, I can't tell you what I do in caucus with respect to that. What happens in caucus, stays in caucus. But I can assure you that I feel I am a strong representative for the aboriginal community in caucus. I also have some wonderful colleagues throughout government here who very much represent our aboriginal community in an amazing way. I can certainly point to my hon. colleague from Lesser Slave Lake, who is a strong advocate for the aboriginal community, amongst others as well.

Now, with respect to education. As minister I am committed to working collaboratively with my colleagues and all stakeholders to improve the participation and the educational success of all aboriginal students here in Alberta. The First Nations, Métis, and Inuit partnership council is a tremendous example of a collaboration that will provide guidance and advice on a broad range of First Nations, Métis, and Inuit education issues.

As well, my ministry along with, of course, Alberta Education and the federal government, Indian and northern affairs Canada, and the three provincial treaties – 6, 7, and 8 – the treaty organizations, have signed a historic memorandum of understanding in education back in February of last year. The intent of this MOU is to improve the educational outcomes for First Nations students here in Alberta. An elected officials' meeting was held on January 24, 2011, to review the progress of the MOU. I can say that I am very satisfied with the progress being made toward implementing the commitments in the MOU.

Again, if I understand it, we've got a MOU education meeting coming up here very shortly. The hon. Member for Edmonton-Whitemud chairs the meetings. All I can say there is that there is progress being made with respect to education and providing quality and better education for our aboriginal students here in Alberta. I'm actually quite excited, and so are all involved, with the progress being made here. I look forward to what the working group will be doing in the future.

Now, an MOU working group has also been established. Senior officials from three parties have directed the MOU working group to begin focusing on four key priorities. One is the development of an indigenous wisdom and knowledge centre, and that will be led by the First Nations. Also, a comparative funding analysis. We've got tuition agreements that this working group is working on along with the development of a data-sharing protocol. So within our MOU we've got working groups set aside, working on a number of these priorities. Again, progress is being made with respect to that.

At that, I will perhaps give you a minute or two to ask another question.

Dr. Taft: How much time do we have?

The Chair: A minute and 30.

Dr. Taft: Ninety seconds.

Well, you know, I'll extend my appreciation to the minister and his staff for the information. I'm sure the Member for Edmonton-Strathcona probably has some questions. I'm not sure if any of the other members of the committee do, so I may have an opportunity to raise some questions after other people have had a chance.

I've appreciated the exchange. Thank you.

The Chair: Thank you.

For the next 20 minutes the members of the fourth party, if any, and the minister may speak, and I assume Ms Notley will speak for the next 20 minutes. I'm not sure if you agree to share your time back and forth or you go 10 minutes each. That's up to you.

Ms Notley: Well, we haven't actually spoken about it, but I assume we'll sort of go along similar lines, I suppose, as what has just been done. You know, it's a smaller amount of time. I have a few areas that I want to cover, so I'll try to keep an eye here on what my time is looking like, the idea being that we'll generally take 20 minutes between the two of us.

I guess I'd like to sort of start at a place which is not dissimilar from where the Member for Edmonton-Riverview started with respect to the issue of performance measures around the operation of this particular ministry. My concern is that, you know, as has already been stated, it's truly difficult to assess any kind of progress in this ministry. Over the last two years we have seen substantive cuts in the funding to this ministry. While I believe very strongly that there is a great deal of support that needs to be offered to the indigenous community of this province, it's very hard to make that argument when one of the primary avenues through which that support is offered is so difficult to assess and measure and so difficult for us to point to the results that are being achieved.

I note, for instance, that when we're looking 2006, there were essentially five performance measures, in 2009 we were down to four performance measures, and now, of course, we're at two performance measures. I just truly am perplexed at how it is that anybody can defend that as a mechanism of justifying the work of this ministry in that there is a continued reduction of any sort of objective accountability measure, and I worry, frankly, about the future of this ministry as a result of that. So I would like, I guess, for the minister, when we get back to this, to specifically comment on how that reduction of accountability can possibly ensure that there will be not only cabinet support and caucus support but public support for the ongoing work of this ministry if we cannot come up with a clearer set of accountability measures than what is currently in place.

The next thing sort of relating to that is that notwithstanding the creative press releasing and communication that was done around the introduction of this budget, the fact of the matter is that if you compare what was to be spent in this budget, excluding the First Nations development fund, what was budgeted to be spent in 2010-11 and what is now being budgeted for 2011-12, we effectively see about a \$6 million cut. Now, when you add that to the cut that we saw last year, which was roughly \$5 million, we're essentially looking at a 25 per cent cut over the last two years to the operational budget in this ministry. You can understand, then, why it is that I am concerned about the direction of this ministry and the work of this ministry because it clearly is a target.

Now, in terms of looking at last year and the year before and the trends in terms of the budget, I do have a question. This may be just one of those incidents of me being a complete budget newbie,

or, I guess, not complete anymore. This is my third set of estimates, so I can't quite claim that. Nonetheless, I apologize if the answer for this is really simple. But when I look at what were officially the estimates that were produced for the public and for this Assembly, that were debated by this House and that were passed by this House in the spring of 2010, and I compare that to what now appears on page 22 as what this minister says is the budget that they were working with through 2010 and '11, I see a tremendous amount of variation, in particular under item 2. We see 2.1 went up, 2.2 went down, 2.3 went up, 2.4 went down.

7:50

Now, I haven't done that exercise on every set of estimates, so I'm not sure if ultimately this happens all the time, that we pass a budget and then the ministry has the capacity to play around with the numbers within that budget, notwithstanding that it's been voted on within this House. It certainly does look like there was a lot of uncertainty around the spending within this budget, so I would like a little bit of a comment on that from the minister if I could get that. Of course, if you look at what was put before this House last year as to what this ministry was going to spend, it does look as though that amount is greater than what is now on the books for what was put before this House last year, as to what this ministry would expend; hence, the slightly larger calculation of the amount that has been cut from this ministry. I'm just wondering if I could get some clarification of that and how it is that those numbers changed in so many places.

The next thing that I would like to talk about since we're getting into numbers. I will quickly go to the First Nations development fund. In that one, I want to ask about the allocation of monies in that fund. I'm concerned because, you know, I've read through estimates from last year and the year before, and I've listened to the minister this time, and I've heard the minister and previous ministers talk about how this fund is used for economic development and social support and yada, yada, yada, and aren't we doing great things to support these communities.

Of course, as has already been pointed out, over half of the money in that fund goes to two communities, and that's it. So there is the significant concern that I think was already raised about, well, how well we are really achieving these objectives when we're giving over half the fund to two communities, which, of course, are already, as has rightly been pointed out by the Member for Edmonton-Riverview, benefiting from the increased economic activity of having the casinos there.

To walk away from that for a little minute, I did go to the lottery website, as had been suggested in the last round, and took a look at what the allocation was. I note that in the Enoch reserve, where roughly \$37 million of the fund went simply to the Enoch reserve, all the money went to the casino. Now, they do say that it went to the River Cree resort, and then it says: non-gaming portions only. I'm curious as to how it is that we can give \$27 million to the River Cree resort and somehow separate out the gaming versus the nongaming portions. It seems to me the two would be somewhat linked. That's a \$27 million thing.

The other thing that I have a question about. It looks as though the total amount given to the Enoch First Nation last year was \$37 million, but your lottery website only describes \$27 million, so I'm curious about where that other \$10 million went or where it is, and I'm wondering if the minister can comment on that as well.

I have other questions, but I think I've sort of covered two or three topics there. Maybe I'll sit down and the minister can respond to those questions.

Mr. Webber: Okay. All right. Well, thank you, hon. member. I'll talk to you a little bit about the budget and your questions with regard to that. I will start from, basically, step one here with respect to what is in our budget. As I indicated earlier, \$146 million is in our budget this year. Of that, \$115 million is the portion from the slot machines, as you know. These are dollars that, of course, flow through from the First Nations development fund. Now, this funding, again, is available for all eligible applicants from First Nations to support their economic and their social and community developments.

This budget reflects an overall decrease of \$39 million from the 2010-11 forecast, which is primarily due to the one-time TLE claim, as I mentioned earlier. Excluding the treaty land entitlement claim commitment, the 2011-12 budget is increased by \$1.8 million, or 1.3 per cent, primarily due to an increase of projected revenue in the FNDF. Now, \$10 million in funding continues to be provided to the area of consultation and land claims. Within this amount we're maintaining the same level of core funding in the First Nations consultation capacity investment program, as I mentioned earlier, the FNCCIP. This FNCCIP is critical to help the needs of Alberta's legal duty to consult with the First Nations and maintain our province's competitiveness in resource development. More than \$1.7 million supports two institutions established by Alberta's Metis Settlements Act that are accountable to the minister, the office of the Métis settlements ombudsman, and the Métis Settlements Appeal Tribunal respectively, who investigate complaints and provide dispute resolutions to Métis settlements.

Now, in the budget here, if you take a look at it, there is an increase of \$3 million for Métis relations initiatives. Of course, there is the decrease of \$5 million due to the expiration of the Métis settlements transitional funding and a decrease of \$2.5 million to the First Nations development fund, resulting in the balance of this \$115.5 million for the 2011-12 year. Of course, it was \$118 million in 2010-2011. The decrease of the \$1.5 million is due to the expiration of the community development trust funding, the federal funding that no longer exists. The decrease also of \$0.6 million, \$600,000, is due to the reduction of social and emergent grant programs and consolidation of grant programs. Funding for traditional use studies has also expired. The funding is now retained by the ministry with respect to the \$1.7 million there. Last year's funding of the Métis settlements' policing, \$593 million, is also in place here for 2011-12.

I can get into the detail of the budget with respect to where the dollars are being spent, but it is relatively clear here. I can talk about the FNDF again if you would like, hon. member. I thought that I was quite clear with the previous hon. member. With respect to the FNDF the First Nations set their own priorities with respect to what they feel is a good proposal. The First Nations community have all agreed upon the allocations with respect to the dollars that do come in and that are generated through the casino lotteries. Again, if you take a look at the document that we do provide the chiefs, it does have a breakdown of the allocation of dollars, as you're very aware, and the dollars in here are all agreed upon by the First Nation community here in Alberta. We respect the fact that they have agreed to this allocation. We respect that, and we've left it up to that community to determine the allocation there.

Anyway, I will leave it at that, Member.

8:00

Ms Notley: Well, thank you, Mr. Minister. Just a couple of quick comments. I fully understand how you got the 1.9 per cent figure if you compared it to the forecast. What I was comparing it to was the budget, so that was the difference. I think that if you look at

the actual budget that came in front of this Legislature last time, you would see bigger increases. I did have a question, though, about why it was that there was so much changing between line items in terms of the budget that was actually presented in this building – I guess it was in the other building – in 2010 and the budget that is now in the budget document as having been the budget for 2010 and '11 even though I appreciate that that's different than the forecast. I'm just curious why those numbers varied so much from line item to line item to line item. Is that standard?

In terms of the First Nations development fund I had two questions that I didn't get answered there, so I'm going to say them again and hope that you hear. If not, perhaps you will get back to me in writing. The first question is: how do you distinguish in the case of the Enoch band's grant between gaming and nongaming portions of the River Cree resort? How does investment in one part of the River Cree resort not have implications for the gaming portion of the River Cree resort? Obviously, the gaming portion should be excluded. That's my first question.

The second question is: where is the last \$10 million? Where was it spent? On your website I see a description of \$27 million, three separate projects with the River Cree resort having been approved, but it adds up to about \$27 million, not the \$37 million, which is the total that was granted to the Enoch band. I'm looking for an answer about where that last \$10 million is.

To move on, though, because I think I'm getting perilously close to running out of time, I'd like to ask about the consultation policy and guidelines. Last year we were told that those would be released and would have been finally concluded, after having been worked on for two years or so, and that they would be released in the fall of 2010. Perhaps they were and I missed it, but I would like to know if they were released and if they are publicly available.

The other thing that we have also heard about from repeated ministers is the aboriginal policy framework. Again, that was to have been released in 2010, in the summer, I believe. I'm just wondering if you could advise whether the aboriginal policy framework was released and circulated in 2010. That would be very helpful.

The final thing is that there was much conversation about the core review and about there being a review being put before the minister for consideration and conclusions with respect to the degree to which all the other ministries that you play a coordinating role with were addressing aboriginal issues. There was a report that was to have concluded, and I asked the minister who stood in for this minister last spring whether we could expect to see that core review released and shared with Albertans. We have of course heard nothing but, I think, everybody agreeing that there are profound challenges facing our indigenous community in Alberta. Something like an internal core review around the degree to which many of the key ministries are able to properly address aboriginal issues would be a very valuable document to share with Albertans and certainly with members of the indigenous community. My question to you, then: is that complete, will it be released, and if not, why not?

Mr. Webber: Well, thank you, hon. member. With respect to just your last question, regarding the internal core review, I will get back to you in writing with respect to detail on that. It is still being worked upon.

I'm not familiar with what the . . .

The Chair: I'm sorry to interrupt, but the time allocated has run out now. I would encourage the minister to table any information

he has promised to members in the House rather than just sending it to that member. Table it in the House so that everyone can see it. Thanks.

For the next 20 minutes the members of any other party represented in the Assembly and any independent member and the minister may speak, but I'm not seeing anyone.

Dr. Taft: Oh, I see. I'm not . . .

The Chair: From an independent party. I don't see anybody from the independent members. I see none that fit that category.

Now any other member may speak. First on my speakers list is Ms Calahasen, followed by Dr. Taft.

Ms Calahasen: Thank you, Mr. Chairman. First of all, I want to welcome all the people from Aboriginal Relations here tonight. I want to thank the minister also for the work that he's been doing relative to trying to build relationships and trying to make sure that things get done to be able to address some of the issues.

I understand the sensitivities of any issue relative to First Nations and Métis. I want to talk about how I've been so blessed to represent 19 reservations, soon to be three additional, which represent 12 First Nations, three Métis settlements, and many, many hamlets and towns and MDs with huge populations of aboriginal people.

I just want to say a special thank you to the minister and his staff for completing the Bigstone land claim. As the previous minister I was proud to carry on what previous ministers' work had been on land claims, and I want to say that I have to give kudos to the department for their land claim resolutions and the time that they take to do those resolutions. So to you guys: thank you very much for all the work that you do. I know what the need is in those communities, so this is so welcomed by the people, and I know that this also will represent self-sufficiency. That's certainly something that's needed in those communities.

I also want to give other kudos to the minister before I ask my questions, and I know sometimes those questions can be a little tough. On the work that you've been doing with the Métis Nation of Alberta's framework agreement, what you've been able to do there has been very good, and it's 1.4 on page 26 of the department's priorities and performance measures. When you look at that, I sometimes think that there's so much work that still has to be done. I guess my question there will be: could you tell me what kind of progress you have made relative to that, whether or not the Métis Nation of Alberta has truly achieved what it wanted to achieve in establishing its goals and setting those goals and finalizing those goals, and whether or not those relationships have been built with the various ministries?

I also want to say a special thanks to you for the work that you've done in the workforce participation initiative and working with aboriginal government and industry partners to improve aboriginal participation in the workforce. I know the outcomes for the aboriginal people have been very good because they want to be involved in the workforce as well. I want to know how we are going to move that forward in order for us to be able to see the good things that are coming out of that initiative, Mr. Minister. I know that your department has been working very hard on that.

I also want to give you special consideration and kudos as well on 1.8 on page 26 of your ministry document, where you talk about the urban aboriginal people through policy development and collaboration with other ministries. As we know, the migration of aboriginal people has been incredible from the small communities into major centres, and I think that's the kind of stuff that we have to start looking at in terms of policy development. How do we

include people to be involved in that kind of situation? To you, Mr. Minister: I know how much work that department has been doing, so I would like to know what other things are in store for that as you identified in your policy initiatives.

8:10

I do have some concerns. We talk about self-reliance, and we talk about economic initiative capacity, yet the targets on page 26 are low. I just wondered why they would be so low when, in fact, you overachieved at the last actual, in 2009-2010. Then we go back and say that it's going to be less than what we had overachieved. I'd like to know if you can explain to my constituents why those targets are so low. How are you going to work with First Nations and Métis to become more self-sufficient using economic initiatives? I think those targets are a little low. I know sometimes they're very difficult to be able to achieve because I know soft targets sometimes are really difficult to be able to get to.

I do have a number of other questions. We speak about relationship building, and you speak a lot about it in your initial information that you provided but also in the document that I'm looking at with the aboriginal community. It appears that you're doing very well with First Nations, and personally I believe you have done really great work there, and congratulations on that aspect. However, if we are truly going to build relationships with Métis, I question the method I see being used here. I'm talking about specifically which methods you're going to use in developing Métis relations. It's 2.4 on page 22 of your document. When I look at that, I see that Métis relations is increasing in money. I want to know what way you're going to be able to work with Métis in order for us to be able to establish those relationships so that we can see the kind of relationship we used to have and that I hope we continue to have with Métis settlements as well as the Métis Nation of Alberta.

I know that you have no money when it comes to the Métis settlements. I know that three-year funding with the Métis settlements will conclude on March 31 of this month, and I see no funding for settlements in 2011 and 2012. Yet we say that we want to make sure that we get them to a point where they will be able to help their own people. My question is: how do they help their own people when they don't have any money coming in? That's a question that I think is important for me to know and to be able to articulate to my constituents because I do have three Métis settlements, who are very strong supporters, I think, of making sure their people can become well positioned in the self-sufficiency area. I need to know what you're going to do and what plans you have to be able to address that. That, to me, is a very crucial component.

The second question I do have on that is: will Aboriginal Relations continue to work with Métis settlements beyond March 31, 2011, and 2012, and how are you going to do that? If we don't provide them money, who are we, then, to be telling them what to do if we're not responsible for providing them those dollars? I'd like to know what it is and how you're going to go about doing that.

Also, I notice that there's a line for the Métis settlements ombudsman. Is the ombudsman contributing to enhanced accountability? The question I have, then, is: accountability for what? If we're not providing dollars, what are they going to be accountable for? What is that all about, and how do we deal with that specific issue? I also noticed that the budget for the Métis settlements ombudsman has been reduced. My question is: if you're reducing it, is it because they don't have enough to do or because they don't

have the dollars we give them for them to do what we want them to do?

My other question, Mr. Minister, is on page 23, capital investment. I see that there's money there, but I'm not exactly sure if you've moved your registry or what's going on with the money because there are no dollars in 2011-12. I'm just wondering what's happening with that Métis settlements land registry.

There are land and regulatory issues under consultation and land claims, 5.2 on page 22 of your document. I see that there's been a decrease in there, Mr. Minister. I know how much work is required for that. I'm just wondering how you intend to deal with that specific area in order for you to carry out the good work that your department has been doing relative to this area.

Those are my questions right now, Mr. Chair. He can answer them today or provide us with information later.

Mr. Webber: All right. Well, thank you, hon. member, first of all, for the kind words for my department. I agree with you a hundred per cent. I've got a great group of people here that are doing some wonderful work, and I applaud them as well. Boy, you've hit me with a number of questions, and I'll try to answer as many as I can. The ones that I don't, I will certainly get to you in writing through the chair, of course.

Now, with respect to our Métis people here in Alberta and what our government is doing for the Métis community, I can tell you that we are doing a significant amount for our Métis communities in Alberta both on and off the settlements. Back in 2008 our government signed a seven-year framework agreement with the Métis Nation of Alberta Association, or the MNAA. You certainly know of Audrey Poitras, the president, a wonderful lady. This agreement commits about \$1.5 million per year for improving the education, the employment, and the training, and accessing provincial services and developing public policy. In 2008 the government also signed an \$18 million, three-year funding agreement with the Métis Settlements General Council. Now, it is a performance-based agreement aimed at improving governance, accountability, and sustainability.

The ministry also facilitates the Métis Settlements General Council's relations with numerous other government of Alberta ministries. We also collaborate with Métis communities and organizations on their initiatives of mutual interest such as on Métis settlements policing or where legal or statutory obligation exists.

There have been a series of framework agreements between the government and the Métis Nation of Alberta Association since 1987, as you're aware. The current seven-year framework agreement expires on March 31, 2015. Now, under this framework agreement Aboriginal Relations provides about \$1,536,000 annually to the MNAA. Of this amount, \$169,000 goes to each of the six MNAA regions, and over \$500,000 remains with the central organization of the MNAA. The MNAA also receives between \$145,000 and \$245,000 from each of four subagreements with other provincial ministries such as Health and Wellness, Education, Advanced Ed, and Children and Youth Services for other initiatives under this agreement. I could go on with respect to that, but I won't bother here.

This three-year funding agreement, hon. member, as you know and as you have expressed to me your disappointment, is concluding on March 31 of this year. But, yes, the Métis settlements will benefit from a number of other sources of government funding. For example, the settlements are eligible to apply for municipal grants. In 2009-2010 this provided nearly \$7.5 million to the eight settlements through such programs as the MSI program, the municipal sustainability initiative, family and community support services, and water for life among many others. In addition, the

government funds a separate child and family services authority for the Métis settlements. It's annual budget was nearly \$10 million back in '09-10. Similarly, five police officers are being funded to work with the Métis settlements, as you are aware, and this will cost more than \$1.77 million over three years.

Now, the Métis Settlements General Council, as you know, hon. member, is suing the government for \$600 million. The MSGC alleges that the government didn't fulfill its commitment regarding financial reviews under the Métis Settlements Accord Implementation Act. Of course, it would not be appropriate for me to comment on this matter while it's before the courts, but due to that lawsuit we are unable to continue negotiation of the long-term arrangements with the Métis settlements.

8:20

Now your questions regarding the First Nation, Métis, and Inuit workforce planning initiative, or the FNMI planning initiative. My ministry is partnering with Alberta Employment and Immigration on the First Nation, Métis, and Inuit workforce planning initiative. The initiative is designed to increase aboriginal participation in the workforce, which will strengthen, of course, our province's competitiveness.

An MLA committee was struck, as you know. You were part of that committee, hon. member, and I applaud you for the work that you've done along with the other members. This was to engage with aboriginal leaders and organizations and key stakeholders such as industry, training and service providers, educational institutions, and economic development organizations to gather input and prepare a report. You know all about this, I understand, but I'm just sharing this with the rest of the world. Discussions focused on barriers, challenges, and opportunities for increasing the participation of aboriginal people in Alberta's workforce and Alberta's economy. This report, as you know, is complete – again, very good work, hon. member – and it is under review, and it will be moving to a CPC shortly to be discussed. I'm sure that you will be there to discuss this as well. Again, good work with regard to that along with the rest of my colleagues who are on that committee.

Now, with regard to the aboriginal economic participation and what my ministry is doing to support the economic development for aboriginal communities and people, I can go back again to the FNEPI program, which provides more than \$2 million to support aboriginal economic development. This FNEPI initiative also leverages funding support with other partners such as Alberta Employment and Immigration and the federal government and other organizations and industry.

From 2005 to 2010 FNEPI supported about 127 economic development partnerships or projects involving over two-thirds of First Nations and regional tribal organizations in Alberta. The funding does enable the aboriginal communities to build organizational capacity and to explore and develop sustainable economic partnerships and opportunities locally, nationally, and internationally to potentially increase employment and income in our aboriginal communities. Now, the FNDF – and again I'll mention the \$115.5 million – is also available for First Nations economic development social and infrastructure priorities. That is all I'm going to say on FNEPI. I think I've repeated it a couple of times now.

With regard to, again, the funding for the Métis people and the relations funding there of \$3 million I will repeat that there is no specific funding to the Métis settlements for government services this next year, but some funding may be required. I'll repeat that in the event that essential services cannot be provided to their members, then we have allocated \$3 million for just that. Howev-

er, we expect that all settlements will be able to provide essential services to their members.

The Chair: Sorry, Mr. Minister. Your 10 minutes have been allotted. That leaves one minute in the 20-minute period, that the hon. member waives.

Next on the speaking list is Dr. Taft, followed by Dr. Brown.

Dr. Taft: Thanks, Mr. Chairman. I'll go through several issues here for the minister's response. Again, he's welcome to supplement his responses here in writing at another date.

There's a budget item here, item 2.6, Métis settlements ombudsman. As the minister knows, there's been some controversy in the last year or so around this office. We've certainly had contact and correspondence and concerns brought to our attention about this, some of them, frankly, very serious. We have talked – and the hon. Member for Lesser Slave Lake spoke about this as well – about the need for accountability and the ombudsman playing a key role in developing a culture of accountability. So when I see that the budget will be reduced by, well, a significant amount, 20 per cent or more, for the Métis settlements ombudsman, I'd like to know what's not going to get done? What is the ombudsman not going to be doing this year that was done in previous years?

I think that's a very important job, and certainly people contacting our office think it's a very important job. They're concerned that there have been problems with the ombudsman having the right to be fully empowered. So I guess I'd like the minister's comments on both the budget cuts and the role of the Métis settlements ombudsman.

There are also issues there around the scope of the FOIP Act and how it might apply to the Métis settlements ombudsman, so I'm wondering if the minister could explain why his department seems to be wanting to place new restrictions on access to information in the office of the Métis settlements ombudsman. If we are talking here seriously about improving accountability, then we should be strengthening access to information and increasing the power of the office of the Métis settlements ombudsman.

Moving on to a new topic here, last year the ministry's strategies included reference to the land-use framework, and this year the land-use framework, as far as I can see, isn't mentioned anywhere in the business plans or in the budget. So if the minister can comment now or later on why the land-use framework is no longer mentioned, that would be very useful.

I'd like to speak a little bit about urban aboriginals because in my constituency there is a significant number of them in the west end of Edmonton along the Stony Plain area. There are some wonderful programs and wonderful communities in there, but there are also some significant challenges. The Bent Arrow program, for example, is in that area, and one of my favourite schools in my constituency has a particular focus on urban aboriginal people. That's Sherwood school.

Now, a priority initiative of your business plan, priority initiative 1.8, speaks specifically to urban aboriginal people, and I'm going to quote for the record. It says: "Support improved outcomes for urban Aboriginal people through policy development and collaboration with other ministries, Aboriginal organizations, other governments and private and non-profit sector partners."

Again, this brings me back to the question of performance measures. How do we know if you've done that? How do we know if it's effective? This is a really, really important area. There are tens of thousands of urban aboriginals in Edmonton alone, and the numbers are even larger across the province, yet your department's work and efforts here feel so vague, so hard or almost

impossible to measure. So I'd like to see some greater emphasis and greater clarity and greater focus on actually getting results for urban aboriginal people.

8:30

Your own annual report from last year – which, I must say, my compliments to your department. The annual report from last year is a very useful document. But even in here your department specifies the educational challenges facing young aboriginal Albertans, yet, darn it, I just don't see any commitment to that that can be genuinely assessed in this budget.

I guess I'll wrap up by telling the minister that his department is extremely important. The more successful your department is now, the fewer challenges the people of Alberta are going to have in the future. This is a long-term project. This is something that if we get it right, we will significantly improve the quality of life of Albertans, and if we get it wrong, if we stumble, if we make the wrong decisions, if we're too timid or we break down under political pressures, then the shortfalls will be visited upon generation and generation of Albertans.

I urge you and your department to seize this opportunity, to show the real leadership that's needed, to not be afraid of accountability. I have a sense here that the department is frightened of being accountable. When I look at performance measures that are, as the Member for Lesser Slave Lake indicated, really pretty weak, I'm concerned. The one performance measure actually goes down, and the other one just stays flat. That feels like falling short. It feels like this huge challenge, this huge opportunity that's out there is not being met adequately. So I would urge this minister to be the champion that's needed on these issues and to push all of us to rise to a higher standard, to be accountable, to welcome accountability, welcome clear goals and clear measures and strive to reach them.

Thanks.

Mr. Webber: Okay. Well, thank you, Member, for that. I guess I will begin with your questions concerning the Métis settlements ombudsman, or the MSO. Now, the MSO is an independent office, as you know, that investigates the concerns of the Métis settlements members. The MSO has proven to be an effective way for settlement members to voice their concerns, of course. Now, it works directly with the members and settlements councils to resolve issues and make recommendations to my office when needed.

The MSO's annual report reflects significant successes in resolving complaints. The budget, as you know, for the MSO this year – you referred to it – is \$645,000. Of course, as you indicated, it was a decrease from the 2010-11 forecast of \$848,000 down to \$645,000. Now, the budget increase of \$205,000 back in 2008-09 and the \$135,000 budget increase in '09-10 were attributed to the lack of co-operation by some settlements. It increased the complexity of some of the complaints, so we had to increase the budget there in order to get to all of the complaints of the settlements communities. With the decrease in '11-12 we expect to have more co-operation with our settlements communities because of the ombudsman that we have put in place here, which I feel is doing a wonderful job. I think we appointed the ombudsman back in November, and the individual is certainly qualified for what he has to do in that capacity.

Now, with respect to your questions on the FOIP Act I'm going to have to get that in writing, hon. member. I'm going to have to get some information on that.

Again, your questions also on the land-use framework and the issues there. Certainly, that's a question that you can ask the Mi-

nister of Sustainable Resource Development when his estimates come up. I can certainly perhaps provide you with some type of document in writing with respect to what we do as a ministry with respect to our co-operation with SRD, but I would suggest that you talk to the minister regarding the land-use framework.

Now, you referred again to the urban aboriginal community and the fact that we do have 63 per cent of aboriginals leaving reserves and coming into urban centres such as mainly Calgary, Lethbridge now. I intend to undertake the development of an urban aboriginal framework or an urban aboriginal strategy to create opportunities for a co-ordinated and collaborative approach, a provincial approach to our urban aboriginal issues. Certainly, I've allocated about a hundred thousand dollars for this, to get an urban aboriginal strategy put into place in order to work on that initiative.

I'm looking here at the other items you have talked about. You've referred to 1.8 of the business plan, which is to support improved outcomes for urban aboriginal people. I've covered that with respect to what we are doing in this department in order to address some of the issues of the urban aboriginal people. Now, of course, this is quite a cross-ministry concern, and there are many other ministries that I think you should ask as well, the ministers in those particular ministries of Children and Youth Services and Education, with respect to our urban aboriginal people in this province.

You made a comment also about my department and being frightened about being accountable. I take exception to that, hon. member. We certainly aren't frightened about being accountable. We are a ministry here of wonderful individuals who have a deep desire for the well-being of our aboriginal community here in Alberta, and we are certainly accountable to any dollars that flow through our ministry.

I'll just end it there.

Dr. Taft: Well, you know, I don't want to be misunderstood as having insulted or called into question your staff at all, Mr. Minister. I'm rather wanting to put to all of us, all of you the challenge to rise to greater achievements.

I just will finish by saying that it is very, very tough – and I'm not alone in feeling this – to hold your department to account when the performance measures are what they are. I think that we could look for better performance measures in the future that will help all of us be more accountable.

Thanks.

8:40

The Chair: Next on the list is Dr. Brown, followed by Ms Notley.

Dr. Brown: Well, thank you, Mr. Chairman. With your indulgence and with the indulgence of the minister I would propose to ask a number of questions, and then I'll sit down and allow the minister to respond.

Minister, the strategic priorities of the government include the establishment of effective relationships with our aboriginal communities, also with respect to the need to strengthen aboriginal communities. I have a couple of questions relating to your estimates. On line 2.8 of page 22 of the main estimates, under aboriginal community initiatives, I assume that is in reference to investment in communities. I wonder whether the minister could explain exactly what programs are supported with that \$485,000 that is allocated. I note that that is a decrease from the 2010-11 budget, and I wonder whether or not he could outline some of the impacts that particular decrease in funding might have.

Another strategic priority that I note in your business plan is the one with respect to providing support to the safe communities

initiative, which is a multidepartmental program to reduce the crime rates. Of course, that is of great concern in the aboriginal communities. I wonder whether the minister could tell us what particular steps he's taking with respect to implementing the recommendations that have arisen from the safe communities task force and where that is showing up in his budget. Also, Minister, if you would, could you itemize what sorts of programs are being supported and what sort of performance measures are being used to determine whether or not there are good outcomes as a result of this safe communities funding?

Going back to the issue of maintaining effective relationships, I wonder if the minister could comment on how the protocol agreement is working to strengthen Alberta's relationship with its First Nations. Are there any funds that are specifically earmarked for the protocol agreement?

Finally, Mr. Minister, I would just ask what your goals are with respect to the priorities of your ministry.

Those are my questions, Mr. Chairman.

The Chair: Thank you.

Mr. Webber: All right. Well, thank you, hon. Member for Calgary-Nose Hill, for the questions. I think I've got them all down here. If I forget any, please let me know.

With respect to your first question with regard to line item 2.8 on page 22, the aboriginal community initiatives, the \$485,000 allocated to aboriginal community initiatives, or ACI, covers the salaries and benefits and operational expenses for the four-member team of ACI that promotes safe and vibrant aboriginal communities through hands-on work with aboriginal communities throughout the province. That is a four-member ACI team that is in my ministry here, and they do some great work around the province.

No programs are supported with this \$485,000 that is allocated here, and the decrease from the 2010-11 budget of \$535,000 is due to the elimination of the social and cultural grant funding of \$50,000, so that's why the decrease in that particular area.

Now, with respect to your question regarding my priorities for the safe communities initiatives and such, the question you had there, it is reflected in two places. Pardon me; I'm just trying to find out where it is here, the line item. On line 2.8 of the main estimates you can see that – I'm just trying to get some information here. Within these initiatives we've got staff and operational support, hon. member. Secondly, on line 2.4 of page 22 of the main estimates we've got our funding support for Métis settlements policing, which is \$592,500 per year for three years.

Aboriginal Relations is part of the nine-ministry safe communities initiative led by Alberta Justice, that is working to implement the recommendations of the task force. We provide policy support, strategic advice, and community development expertise.

To your question on what sorts of programs are supported, and what is used to measure the outcomes of this funding: this funding allows Aboriginal Relations to build effective relationships with aboriginal communities and to provide expert policy advice to the safe communities initiative in the development of a long-term crime prevention strategy and integrated justice system response to persistent offenders and, also, an implementation plan for the Alberta gang reduction strategy. Now, each of these strategies is important to the long-term development of a safe and vibrant aboriginal community here in Alberta.

Performance measures are under development through the Safe Communities Secretariat that was put in place. Led by Alberta Justice and the nine ministries, including my ministry, we are working to achieve the Premier's goal of safe communities. The

SafeCom Secretariat co-ordinates this work and manages the safe communities innovation fund, a grant program. Aboriginal Relations has seconded a senior manager to SafeCom to provide support on aboriginal issues.

In 2010 \$19.9 million over three years was approved for 30 pilot projects, and 14 of these projects invest over \$7 million in crime prevention strategies that have an aboriginal focus. It will help to build stronger communities. Some of the project examples are the circle of courage youth intervention program at the Kainai Community Corrections Society, which is about \$443,850 over three years. We've got the Eden Valley crime prevention youth empowerment strategy, and that is \$278,000 over three years. We've got the High Level domestic response unit, which is a community policing up in High Level, where we've got over a million dollars over three years. You know, we've got the Saddle Lake community corrections initiative, the Saddle Lake Boys and Girls Club, where we've got over a million dollars, \$1.3 million, over three years as well.

8:50

Regarding the protocol agreement that we have in place with Alberta First Nations now, we are committed, of course, to improving the relationships with First Nations here in Alberta and building a mutual trust and understanding that is necessary to address the complex issues such as consultation. The protocol agreement functions as a broad umbrella agreement under which meaningful discussion, information-sharing, and the exploration of a range of important issues can occur.

For example, in 2009 the chiefs requested First Nations education to be addressed, and I referred to our memorandum of understanding earlier with regard to First Nations education. It was negotiated at this protocol agreement back in '09, and it was signed again in February of last year. This same process is now being used to guide the negotiation of a memorandum of understanding to address issues related to First Nations children and youth. The hon. minister of children's services is working alongside my ministry, and we are developing an MOU in that area as well, which is positive news.

With regard to some of my priorities here in this ministry – and we've got a number of priorities, hon. member. With regard to the consultation policy guidelines we are working, of course, as you know, with First Nations and industry to finalize the review of the consultation policy guidelines, and we expect to complete the review in 2011. It is a long process. It is a process that requires a lot of consultation on the consultation policy. So there's a lot of inclusion with industry and with the three treaties here in Alberta and with municipalities as well with regard to completing this consultation policy review. It certainly will contribute to Alberta's competitiveness in the future by ensuring that resource development is done in a way that respects treaty rights while creating a more confident business environment for our industry.

That certainly is a priority of this ministry along with the aboriginal policy framework, which we are currently reviewing. Now, the aboriginal policy framework provides a co-ordinated approach to aboriginal issues across the government of Alberta, and the review of this goes hand in hand with the review of the consultation policy guidelines, so it's ongoing and certainly a priority of this ministry.

Mentioned numerous times tonight was the urban aboriginal framework. The large percentage, over 60 per cent, of aboriginal people are leaving the reserves and coming to urban centres here in Alberta. The framework there is certainly a priority of ours. We want to have a co-ordinated approach across government which would better address the needs of urban aboriginal people here in

Alberta, and my ministry will undertake the development of a framework for . . .

The Chair: Excuse me just a minute. I think you've had 10 minutes straight now. That's all you're allowed. Thank you.

Mr. Webber: All right. Thank you.

The Chair: The next speaker is Ms Notley, and I have no other speakers so far on the list.

Ms Notley: Thank you. Well, I'd like to pick up a little bit on where you just left off because that does link back to questions that I had asked but you hadn't yet had a chance to respond to, first of all, with the consultation policy and guidelines. I have what I'm sure is a completely anticipated question, which is: what in heaven's name is the delay on this? Of course, I heard you say that: well, it's complicated, and we had to have consultations on what type of consultations we would have for the consultation policy. I understand that. As incredibly Monty Python-esque as that sounds, I do understand the need for that.

However, again last year in these estimates the former Attorney General, who was sitting in for the Minister of Aboriginal Relations, assured people that the consultation around how to consult on the consultation policy had been completed. It was all done, and we were now working on the consultation policy itself, that we'd all figured out how we were going to come to the table, that that work had begun, and that it would be done by the fall of 2010. So it raises a question because, of course, the consultation policy is something that was featured in the conversations by, well, not this minister but by previous ministers for several years. It raises some very serious concerns about the slow pace of moving forward on this issue.

The same question, I guess, now arises with the aboriginal policy framework because, again, I've been hearing promises about the completion of that framework since I've been elected. In the last set of estimates the former Attorney General assured members of this committee, I guess it was, and participants in this process that that would be complete in the summer of 2010. Now I'm hearing that, no, that's not complete either. My question to this minister on those two issues is: what exactly is the explanation for the delay? Given that we are now working on our third or fourth committed end time for this process, what assurance do we have that we will actually get this done anywhere close to when we're told it will be done? It was to have been finished in 2009. Then it was supposed to be finished in 2010. Now we're still working on it. It's a priority. When will it be done? How can we be sure that that will be the case?

On the same kind of issue the minister has raised this question of the urban aboriginal framework, which, of course, has been raised repeatedly. Extremely important because it would begin the very, very, teeny-weeny, little baby steps of trying to address the fact that the majority of the indigenous population resides in urban settings now and that we have no structured way to reach out to that population and provide support in any fashion. So the urban aboriginal framework is very important. I have two questions. First of all, and again I hesitate to ask this: what is the timeline on that urban aboriginal framework? When do you expect it to be done? Secondly, who does the ministry plan to consult in that regard? What organizations will be consulted within these urban communities to ensure that that framework is properly constructed? Those are my questions on those.

There has been talk about the challenges in Fort Chipewyan. I think some of this has been touched, but I have the annoying habit of going back to the assurances that I received from previous mi-

nisters and taking them at their word. Now here I am coming back and asking where things are. My understanding of at least one of the issues is that this ministry was supposed to be taking the lead on the negotiation of the parameters of a community health assessment. Yes, I understand that the ministry of health was involved with that as well as was Alberta Health Services, but this ministry in its role as the purveyor of all things relationship and all things negotiations when it relates to the indigenous community was to play a key role in establishing the parameters and buy-in by all parties on the parameters of a community health assessment. As you know, there have been very, very serious concerns raised and some very legitimate commentary provided about why the health information that we've been dealing with so far is inadequate.

9:00

I would suggest that that is an even more important question to answer at this point because in the last six months we had, first, Dr. Schindler come forward and say: "You know what? There's actually more contamination going on than the government's own scientific information has been aware of or reporting on." Then we had the Royal Society of independent, third-party scientists also come forward saying exactly the same thing, that the provincial government's monitoring efforts and understanding of what is going on with respect to the water supply in that community is inadequate and cannot be adequate at this point because it's structured in a way that is not going to get us the best answer from a third-party, independent, scientific point of view.

Given that we've now in the last six months received this information from respected third-party organizations, it seems to me that it re-emphasizes the need to go back to that community and ensure that we get moving quickly on a community health assessment that meets the needs and has the agreement of and buy-in from all members of the community. My question to the minister is: what are the roadblocks to that? When will that happen, and why hasn't it happened yet? What are we waiting for at this point?

The other question that I had also wanted to raise, of course, that others have spoken to, is the question, just generally, of resources dedicated to First Nation communities on the issue of resource consultation. We have a budget and a throne speech that anticipates significant increases in industrial activity and development over the course of the next year and two and three and four years. That's the first thing. We also, as the previous member has identified, theoretically have a land-use framework that some day may actually be operationalized. Of course, with it comes the need for and the desire for, I'm sure, our First Nation communities to participate fully, effectively in that process. We have the water for life strategy, that's kind of dying, but we have theoretically at some point in the future that consultation on water policy.

All these things, if done right, will ensure that our First Nation communities are consulted, yet we have a freeze on the resources that we have dedicated to support these communities in their consultation process. If we have more industrial activity and more development generally and more consultation around the land-use framework and the same amount of money, I'd like the minister to explain to me how we can continue to support our First Nation communities at the same level that they need to be supported from this point going forward to ensure that they have a meaningful consultative role in this process and are not put into a position where they go to a consultation and face an array of government and industry experts and, you know, advisors who will dance circles around them because they haven't been given the same resources in order to participate fully.

That is truly a question for me. I appreciate that it has not been cut, but it seems to me in looking at the throne speech of this government and looking at the budget of this government and looking at the expected increases in revenue of this government that the anticipation is that the need for First Nations communities to effectively consult and engage is going to increase dramatically. So how are we going to deal with that with this current budget?

Mr. Webber: Thank you, Member, for those questions. I will certainly try to get to most of them. The ones I don't, we'll certainly send to the chair in writing.

Your question regarding the consultation policy review and why it's taking so long. First of all, I really am not aware that the previous ministers had put dates on this consultation policy. I'm not familiar with that at all. But I will give you a little bit of a history with regard to the First Nation consultation policy. It was, again, approved in cabinet back in May of 2005, and Alberta promised a review four years later. So in 2006 the guidelines, which are department specific, were created, and they were then amended in 2007. Now, the former Minister of Aboriginal Relations, the hon. Member for Edmonton-Mill Creek, was not prepared to move forward with the review until he heard from the First Nations community on how they wished to be consulted in the review. The creation of the policy in 2005 was criticized by First Nations on the basis of lack of consultation with them.

So on June 10 of '09 our Premier wrote to the treaty chiefs advising that Alberta would like to understand the process that First Nations wanted us to follow in this review process. Now, on September 3 of '09 the three grand chiefs of treaties 6, 7, and 8 wrote to the Premier advising exactly how they wanted to be consulted. The chiefs also provided a draft work plan and sought \$400,000 for capacity funding for this draft work plan. The Premier replied on October 2 of '09 agreeing to establish a policy and guidelines subtable under the protocol agreement and advised the treaty chiefs that Aboriginal Relations had set aside \$400,000 for the capacity funding.

Now, on November 3 of '09 the treaty chiefs advised that they were generally content with Alberta's approach, and from there it took until April of 2010 to negotiate an agreement with treaties 6, 7, and 8, which included deliverables. You can see how an agreement just on how to consult with First Nations took almost a year. But this was certainly worth the effort as a substantial position paper by the treaty organizations was provided to us in September, on September 30, I guess. It was near the end of the month, anyway, I do recall.

Among other matters, the treaty organizations had identified a lack of clarity in relation to consultation regarding municipalities. The Alberta Urban Municipalities Association and the Alberta Association of Municipal Districts and Counties also wanted clarity. So we extended our process a few more months to allow the AAMD and C and the AUMA to add their input to the review. Their input was received by our department at the end of December of 2010.

Meanwhile during all of this the regulatory enhancement project being done by the Department of Energy was moving forward quite rapidly. It would change the way in which regulatory approvals would be granted in relation to oil and gas in the province. Now, as this could have had a major impact on who would be granting what approvals, we needed to co-ordinate the rest of our consultation review with the regulatory enhancement project.

The report and recommendations of the regulatory enhancement task force is dated December 31, 2010, and the recommendations were accepted by the Minister of Energy shortly thereafter. We are now awaiting further details on what the regulatory scheme will

be before concluding our review. So you can see, hon. member, that this is a very complex and very time-consuming process. I assure you that we are moving as quickly as we can and as prudently as possible on this review. I will leave it at that with regard to our consultation review.

9:10

You then led on to Fort Chip and the health study. I've got a few points here. Now, in follow-up to the community concerns regarding the February 2009 Alberta Cancer Board report a physician working group held several conference calls between October of '09 and July of '10 to develop recommendations for a proposed community health study. This physician working group is made up of, as you know, senior medical officers, provincial and federal government officials, and doctors working in Fort Chip. On July 31 of 2010 the Minister of Health and Wellness sent a letter to First Nations and Métis leadership of the Fort Chip area outlining proposed next steps for a community health study and requesting that they confirm their support to move forward.

On August 4 of 2010 the physician working group presented their recommendations to the Nunee health board society and aboriginal leaders Chief Marcel and President Jumbo Fraser as well. A meeting to present the recommendations to community members was planned for September 28 of 2010. Now, that meeting was cancelled by the community, and further discussions were delayed due to the Nunee health board firing their director in mid-September. There have also been other changes to the board membership there. So we are basically waiting to hear from the Fort Chip leaders with regard to where we go from here, when we can get that community meeting rescheduled. That is the status with regard to the health study.

I thank you there.

The Chair: Two minutes, 40 seconds left.

Ms Notley: Thanks. I did have questions as well on the issue of, generally, the consultation budget and the fact that it's been held steady. As well, though, just in response to one thing that you said, I appreciate the description about the impact of the regulatory enhancement task force. That gives some insight. Just to let you know, it was actually in estimates that the former Attorney General suggested that the fall of 2010 would be the conclusion of the policy. So you can check that there. That's what we were relying on.

Maybe I'll just let you quickly talk about the issue of consultation, the fact that the budget is where it's at and that there are all these extra forums for consultation anticipated to crop up.

Mr. Webber: Okay. Thank you. I apologize for missing that last question you had last time, hon. member, with regard to the urban aboriginal strategy framework, that is a priority of my ministry, and the timelines there.

We probably anticipate this being quite a long process, perhaps up to three years, to get a strategy framework in place. I've got a hundred thousand dollars put into this budget year to get an urban aboriginal strategy put in place, and we will be consulting, hon. member. We've got a number of stakeholders that we will be consulting, both service providers along with, of course, the aboriginal people coming to our urban centres, the municipalities throughout the province as well as government ministries and my colleagues. Again, the timelines are long. We are in the first stages of this. This is something that we've decided we want to approach and take as an initiative as a ministry. I think it's important work, and I look forward to what we're going to get done there.

I'm just trying to see here with respect to your other question, which I guess was on the First Nation consultation capacity investment program. Now, by supporting the First Nation consultation, office, staffing, consultants, training, and travel funding . . . [Mr. Webber's speaking time expired] I will get that to you in writing, hon. member.

The Chair: Thank you, Minister.

Are there any other members wishing to speak?

Ms Notley: Well, since I get the opportunity, maybe this might be an opportunity now to just carry on with that. Just to clarify, the question that I was looking to have answered there is that, generally speaking, it appears to me as though support for consultation has remained static, yet we have all these many forums within which we anticipate a demand on our First Nation communities to engage in consultation. So the question is: how are those going to be funded or supported with the amount of consultation and the need for expertise on their part growing quite dramatically based on the stated expectations within your own throne speech and budget document, not yours but the Premier's and the finance minister's? That was my question that I was looking for an answer on there.

The other question, just a very simple one. You'd spoken earlier tonight about a program. Well, you mentioned two things, and I was just hoping I could get a bit more information about it. You talked about the social and emergent grants program. You did talk about that, but I missed, first of all, what services that covered; secondly, what line item that's found under; and thirdly, whether that was increased or decreased. I didn't quite catch that in your previous answer to a question.

With respect to the traditional use studies funding you indicate that that has expired. If you could perhaps explain the rationale around that, why it is considered not necessary anymore or whether there's the anticipation that it might continue to be necessary.

Then the third thing. You did definitely talk about Métis settlement policing. I listened when you were talking about the safe communities initiative, and my question is: is this a new funding thing, or is there a reduction in funding for Métis settlement policing? At one point it seemed like you were suggesting that there was a change there, but I wasn't clear if that was an increase or a decrease, although I did hear you talk about the community safety initiative. So if it's an increase under that, then that piece I did hear. If there was something else related to Métis settlement policing, then maybe you could tell me about that.

So those are some remaining questions that I have. Thank you.

Mr. Webber: Okay. Thank you, again, hon. member. I guess I'll go backward here with respect to your questions. Métis policing, again, was a rather new initiative on our part, just started last year. We are providing \$593,000 per year for Métis policing. As for the number we've got five officers for eight settlements around the province. I could certainly get into detail about what we are doing there with respect to policing, but I'm sure you are aware of that now.

With regard to the aboriginal community initiatives line item and the elimination of \$50,000 in social and cultural grants, now, these are individual grants. They are not programs at all. They are grants and strictly grants, one-time payments of \$50,000 for these two areas.

With respect to the traditional use study it's scheduled to end in March. It resulted, of course, as you know, in the gathering of valuable information on where First Nation people hunt, fish, and

trap on public land, which is used to greatly enhance the consultation process. Traditional use data helps better inform the resource development decision-making process and helps ensure that First Nations are fully capable of participating in consultation activities in a timely manner.

9:20

Now, the information contained in the TUS could include data on hunting, fishing, and trapping areas, grave sites, old homesteads or cabins, trails, or even spiritual or sacred places, and this information is certainly used by industry and by government to determine whether and to what extent there is a duty to consult with the First Nations in relation to a proposed project or activity in that area. Since 2003 the government of Alberta has allocated over \$13.7 million to First Nations and aboriginal organizations to conduct these traditional use studies. To date there are 44 First Nation communities that have accessed the funding to the traditional use study.

Current funding allocations for the proposal-based traditional use study initiative took place in 2009, and 19 First Nations were successful in obtaining two-year contribution agreements. These agreements totalled approximately \$1.57 million in the 2009-2010 fiscal year, and there's another \$1.58 million in the 2010-2011 year. So funding is fully allocated.

Regarding the core funding on the consultation, the FNCCIP, we do have the core amount that is funded to the communities of \$80,000 in 2010-11, and that will stay the same in 2011-2012. Now, there are a number of tiers as well. Tier 1 is provided to First Nation communities that experience higher than the base, higher than normal requirements and activities. In areas such as Fort Chip, for example, where there is a lot of activity going on, they do require more than just the base funding of \$80,000. So we do have these tiers. Tier 1 provides just over \$107,000, and then we've got the really high level areas of activity where we provide tier 2 level of support of just over \$137,000 per year both in 2010-2011 and 2011-2012.

So there we go.

Ms Notley: Just a couple of quick follow-up questions on that, and then I will probably be finished. Going back to the traditional use studies, then, you suggested that there were 44 communities that accessed them. My first question is: does that include the 19 that just completed their two-year funding? Then my question is: are there other communities that might need that going forward, or are there now traditional use studies completed for every potential community in the province? That was my original question: is that the rationale for it stopping, or is it that it just had to be cut? Again, with this notion that development is going to continue and applications to develop new lands will go forward, have we done traditional use studies that are completed for the areas where we anticipate new applications going forward with all this increased activity that we're banking on? That's my question for that.

Then going back to the core consultation funding, I did hear your previous responses, of course, about the tier 1 and the tier 2, but given that the amount of development is going to increase and the amount of consultation is going to increase and the forums are going to increase because of this government hopefully moving forward on certain planning activities, notwithstanding the fact that there are tier 1 and tier 2, it makes sense from a common-sense perspective that the demands on certain communities are going to increase. So how can they continue to participate with a flat funding level given the government's own prediction that the forums and the need for consultation are going to increase?

Mr. Webber: Okay. Thank you, member, for those. Again, we'll

start with the last question regarding the different tiers and the funding for capacity. Any additional requirements regarding investment will be provided by industry rather than the government. Industry will provide the additional funding that is required. It'll be certainly something that the particular organization or industry would have to negotiate with the First Nation community. So we continue to provide the base funding of \$80,000 for the next couple of years along with the two tiers, but anything additional to that industry will provide.

With respect to your question on the traditional use studies it is completed. It's no longer in the budget. It will not continue. There have been 44 First Nation communities that have benefited from the past funding of this traditional use study. It certainly has helped both government and industry with the work that was completed there with these 44 First Nation communities, but it will not continue. As you know, it is no longer being funded.

With respect to the traditional use studies that were completed with the 44 First Nation communities, it does include pretty much the entire province already. If there are some particular areas that have not been covered, then, of course, we could look into that, but the majority of the traditional use study, including the 44 First Nations, does include the entire province.

I'll leave it at that.

The Chair: Do you have any more questions? There are three minutes left.

Ms Notley: Three minutes. Well, I'll just maybe wrap up, then. I have to say that I'm concerned at the prospect that First Nation groups have to go to industry in order to get funding for consultation. That is, you know, one of those models, like so many other occasions in this province, that is so fundamentally broken. You don't go to the person who wants to develop your land to get funding for independent scientific information about the implications of having them develop your land.

That's the fundamental reason why our environmental regime is so profoundly flawed in this province, and it appears as though we are prepared to incorporate that mistake into this process as well. I think that is deeply unfortunate, and I think that really compromises the rights and the capacity of these First Nations communities if they can't even get to the table until first begging the people with whom they're going to be at the table to give them enough money so that they can properly function at the table. It's really quite disappointing to hear that.

Nonetheless, I do appreciate the information we've received here tonight. I want to congratulate the minister on getting through his first set of estimates. It's always fun, I'm sure. You know, I once spent some time in B.C., and you'll be happy to know that in British Columbia the way it worked was that estimates stopped when the opposition members stopped asking questions, and they were known to go on for days and days and days. So consider yourself lucky.

I appreciate the information we've received here tonight, and I look forward to your moving forward with some of the objectives of your ministry. Thank you.

The Chair: Thank you, everyone. The time allotted for this item of business has concluded.

I would like to remind committee members that we are scheduled to meet next on March 7, 2011, to consider the estimates of the Department of Service Alberta.

Pursuant to Government Motion 5 the meeting is adjourned.

[The committee adjourned at 9:30 p.m.]

