

Indigenous-led impact assessment: opportunities and challenges for meaningful input in project-based assessments



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Presentation outline

- Emergence of Indigenous-led impact assessment.
- Lessons learned from Indigenous-led impact assessment case studies.
- Opportunities and obstacles of Indigenous-led impact assessment.



Indigenous-led impact assessment: a working definition

- Indigenous-led impact assessment (ILIA) is a process for reviewing and managing land use impacts where the assessment is designed and conducted by Indigenous groups.
- ILIA reflects the unique locations, histories, natural resource issues, and governance approaches of the Indigenous group undertaking the assessment.



Throughout Canadian history:



- Large-scale development projects are approved in the absence of consent.
- Land use changes have made it increasingly difficult to uphold Indigenous ways of life, culture, and rights.

Emergence of Indigenous-led impact assessment

- Assertion of Indigenous jurisdictional capacity to make free and informed decisions.
- Domestic and international recognition of Indigenous rights and title.
- E.g., BC and Canada updated EIA laws, designed with aspirations to align with UNDRIP.

= New opportunities for Indigenous Nations/groups.



Case studies

Squamish Nation Process

- Operated independent of provincial/federal EIA.
- Framework Agreement.
- Squamish Nation Environmental Certificate.

Tsleil-Waututh Nation Assessment

- Consultation Area & Stewardship Policy.
- Government-to-government dialogue as separate legal orders.
- Assessment report filed as an independent jurisdiction.

Stk'emlu'psemc te Secwepemc Nation (SSN) Assessment

- Framework Agreement & EIA Collaboration Plan with BC.
- Internalized process with government collaboration.
- Formal decision package.

Ktunaxa Nation Rights and Interests Assessment

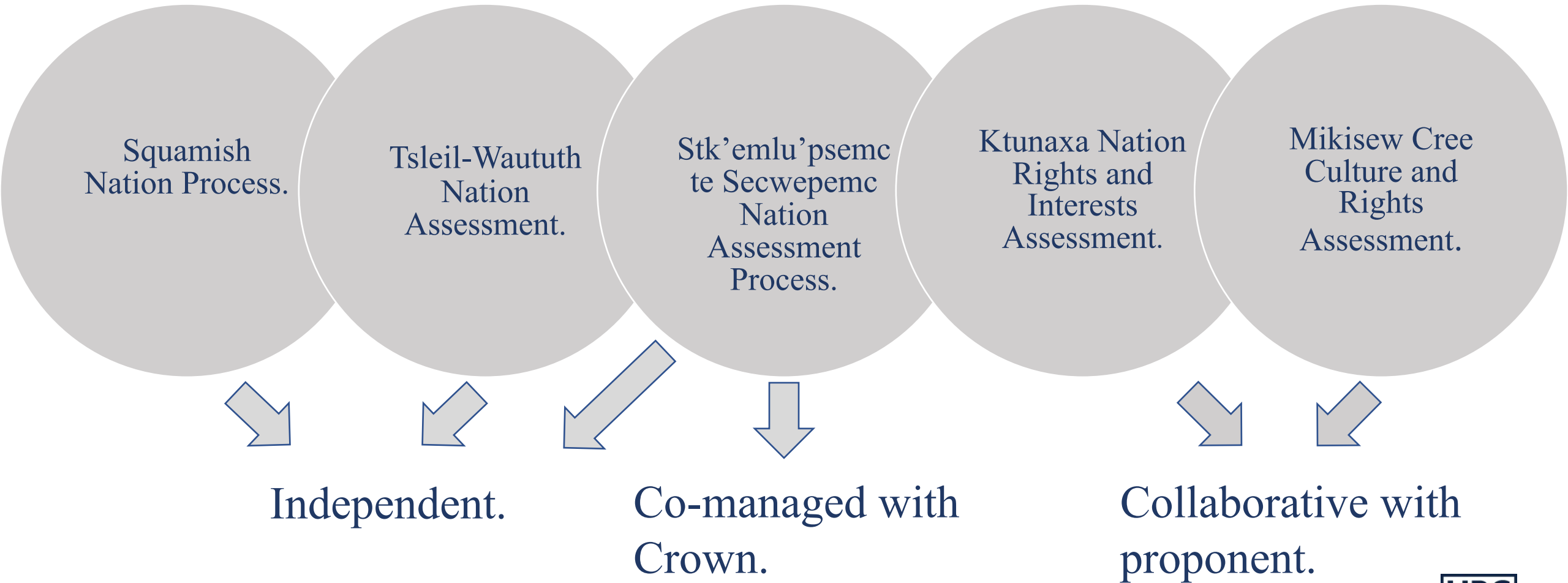
- Ktunaxa-led component of proponent's EIA application.
- Assesses potential impacts along with mitigation measures.
- Mitigation measures confirmed through Impact and Benefits Agreement.

Mikisew Cree Culture and Rights Assessment

- Mikisew-led replacement of Traditional Land-Use Study.
- Provide assessment agencies / proponent with information on Mikisew rights.
- Recognition of existing impacts.



Indigenous-led impact assessment: case studies



Emergent opportunities

Indigenous-led
impact assessment

Values, concerns, and
interests

Free and informed
decision-making

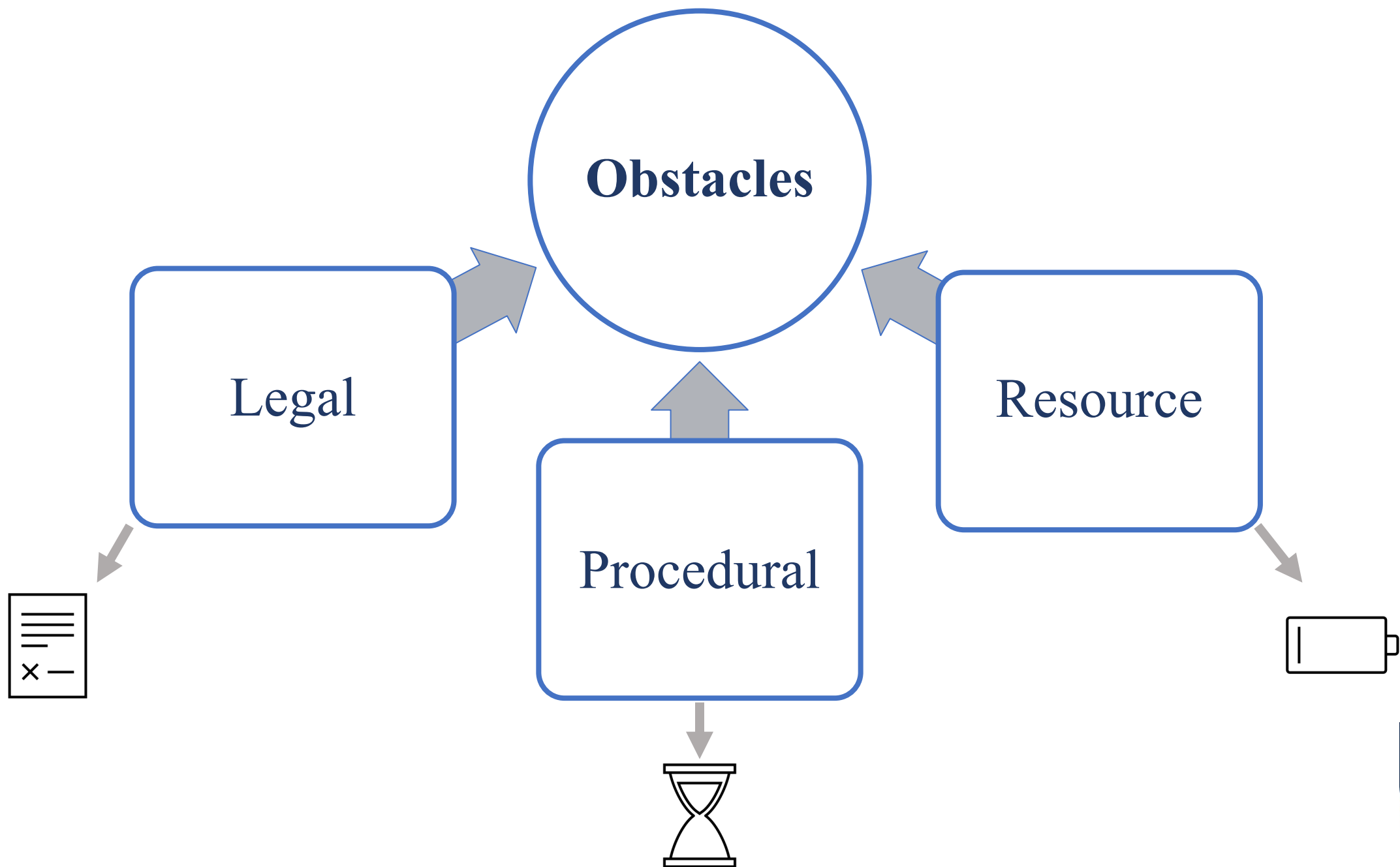
Consent mechanisms

Culture and rights
Stewardship

Jurisdictional capacity
Self-determination

Dialogue
FPIC





Let's continue the conversation!

Post questions and comments via chat in the IAIA22 platform.



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