

Contributions of Aboriginal Traditional Knowledge to Impact Assessment- Case Study

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Outline:

1. Definitions
2. Case Study overview- Hwy 69 Four-Laning/MFN
Traditional Land-Use Study
3. Methods and approach
4. Linking TLUS results to EIA/SEIA
5. Lessons Learned

Three “Licenses”



Social License

- Social and political
- Making “a good deal”
- Being a good neighbour
- Ongoing

Regulatory License

- Meeting procedural requirements of Duty to Consult
- Project or plan-specific

Legal Risk Avoidance

- Avoiding litigation
- Reducing uncertainties-
scope, schedule,
budget

“A real say, and a fair share”

- **Decision making control** – change not dictated by others;
- Developments that are **sustainable and environmentally responsible**;
- **Protection** of sacred areas and archaeological sites;
- **Protection** of traditional land use areas and ways of life;
- **Financial or other acknowledgement** for loss of land use and access;
- **Mutually respectful** dialogue;
- **Commitments** that are realized;
- **Security and hope** for youth and future generations

Traditional Land-Use and Occupancy Studies (TLUS)

- Ideal vehicle for consultation
- Duty to Consult- Establishing “strength of claim” and potential rights infringements requiring accommodation
- Establishing community concerns/interests
- If conducted properly- provides robust set of evidence to base decisions on
- Many positive and indirect benefits for communities

Focus of Study

- **Traditional land-use-** hunting, fishing, gathering, and the use of sites and resources for cultural, medicinal, and ceremonial purposes.
- **Occupancy-** the settlements, movements, and sites associated with the community over time.
- **Traditional knowledge-** the body of knowledge shared by the community and held by and transmitted between community members, which supports traditional land-use for the benefit of the community.

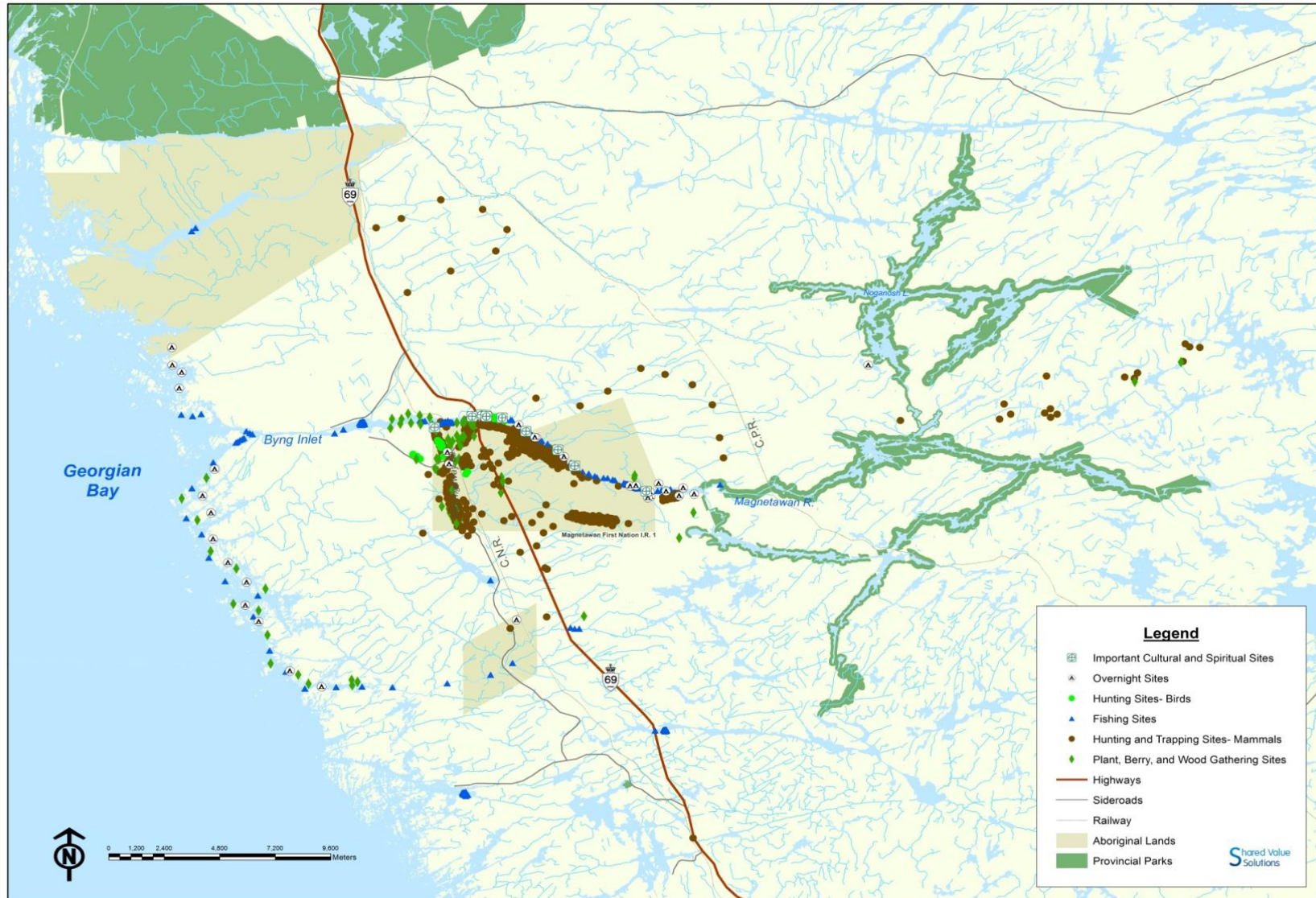


Case Study Overview

- Significant MTO highway widening project- unfinished segment of Highway 69- four-laning, realignments, over-and under-passes, bridges, etc.
- Passes directly through Magnetawan First Nation reserve lands and larger traditional territory
- Potential to cause significant effects- socioeconomic, environmental, rights
- Funding to conduct TLUS for consultation purposes/negotiation support



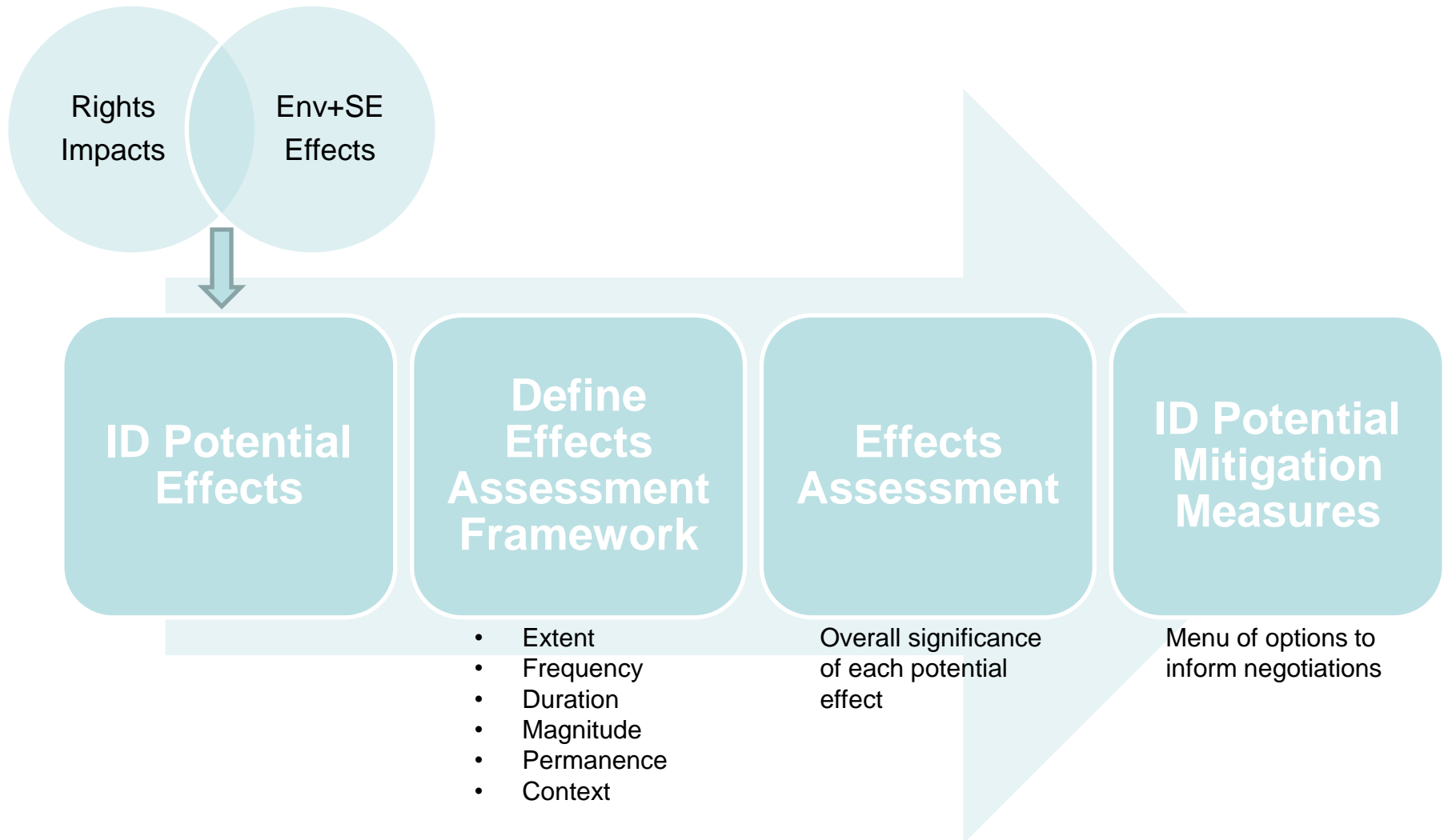
Traditional Land-Use- Regional View



Study Methods and Approach

- Land-use and occupancy mapping- GIS (Tobias method)
- Oral history interviews- videography
- Field visits with knowledge holders
- Interview transcription and thematic analysis
- **Outputs-** summary and individual videos, mapping by land-use type, study report, archived audio and transcripts

Linking Study Results and EA



Examples- Potential Effects

- **Permanent loss** of area of high quality traditional hunting lands within the new highway ROW.
- **Changes** in the known locations and distribution of traditionally harvested wildlife due to habitat fragmentation by the new highway ROW.
- **Reduced access** and ease of access to traditional harvesting lands east of Highway 69.
- **Potential effects** on traditional fishing areas and fish populations of a major spill of a deleterious substance entering the Magnetawan River during construction.

Criteria for Assessing Effects on Traditional Land-Use

Modified based on specific guidance provided by CEAA:

- Effects on **abundance and/or quality** of the resource to be harvested/site to be used
- **Ease of access to and transport** of the resource to be harvested/site to be used
- **Proximity** to a “home base” or central location for harvesting efforts/land-use- be that a house, seasonal cabin, or camp site.

Lessons Learned

- Importance of videography- “In their own words”
- Importance of community control and endorsement-
Final approval and BCR
- Importance of multiple methods and triangulation
- Value for community and culture-building
- Value for increasing understanding and trust between parties

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