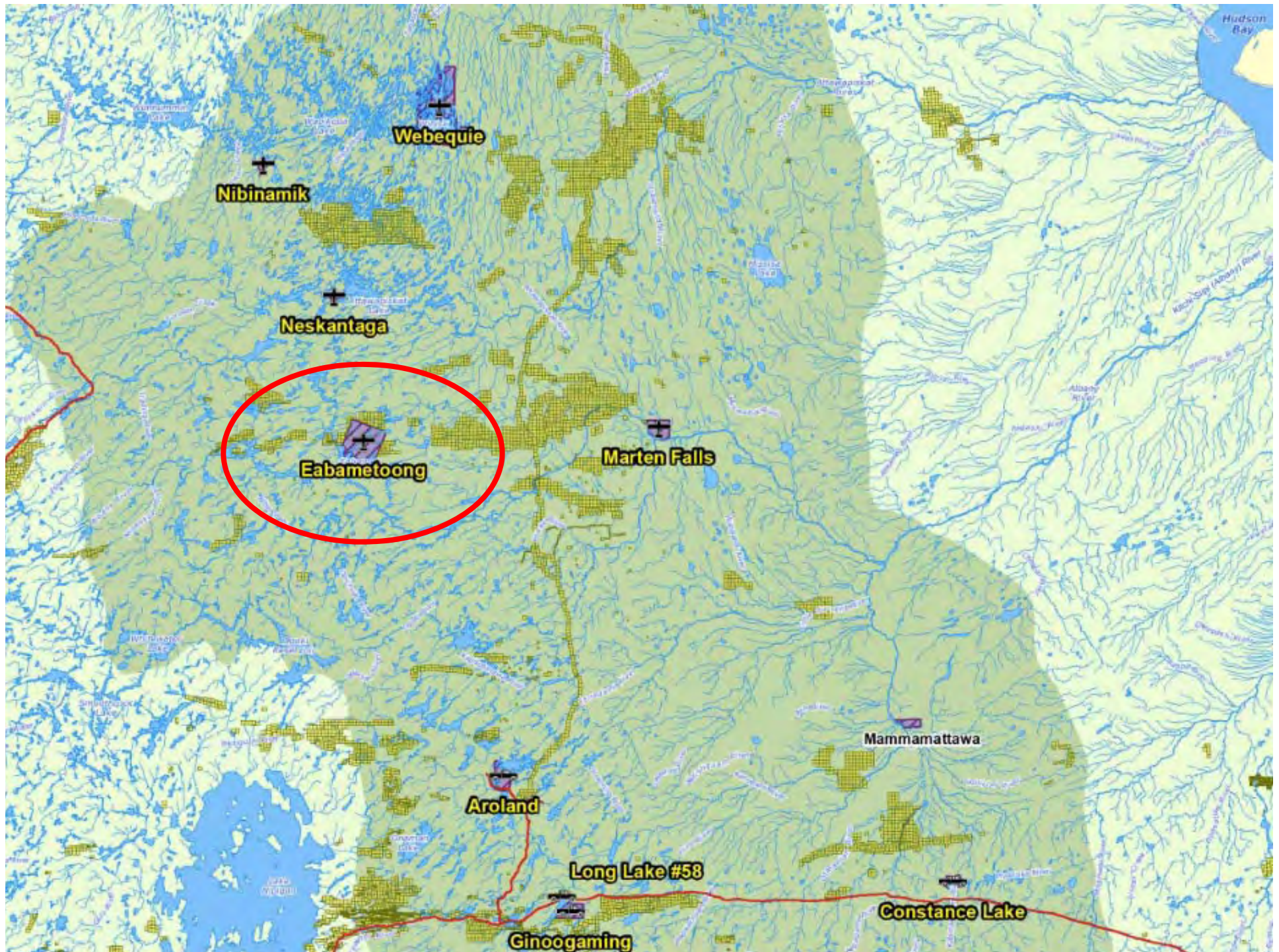




**The land belongs to the Creator,
and the People belong to the Land:**
Eabametoong First Nation perspectives on the
purpose and practice of Environmental Assessment

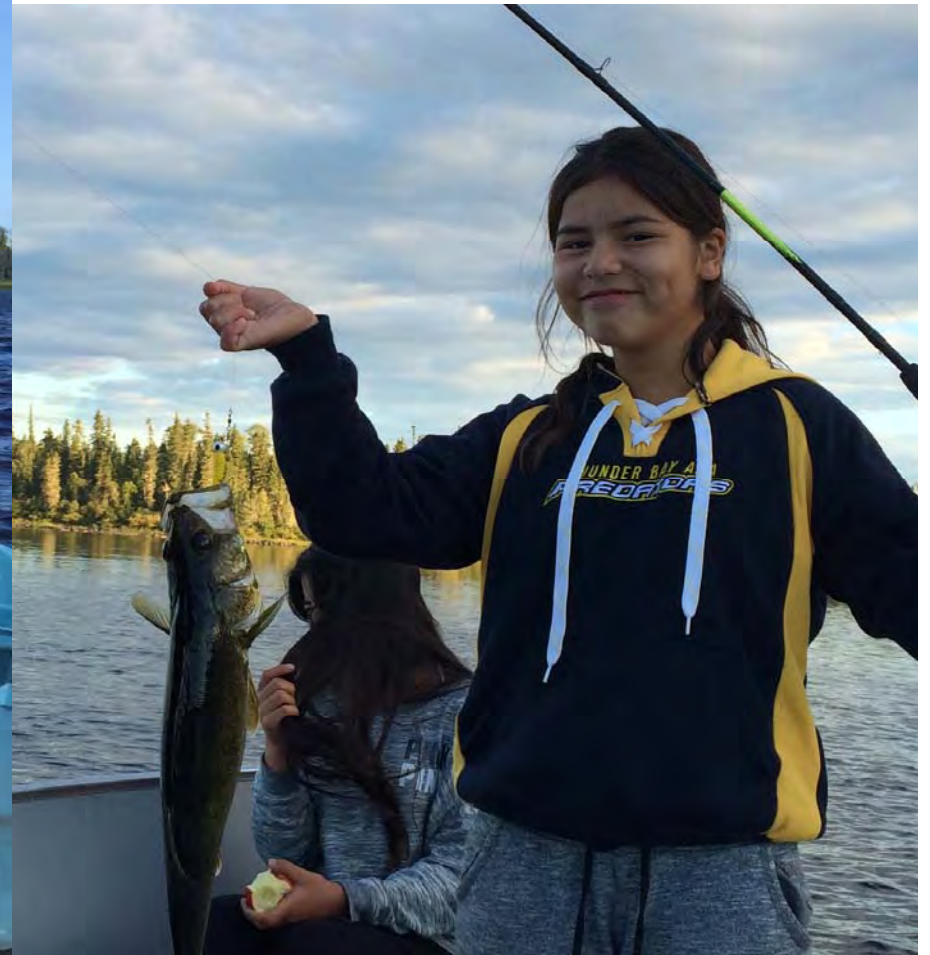
Andy Yesno and Peter Siebenmorgen

OAIA October 26, 2016

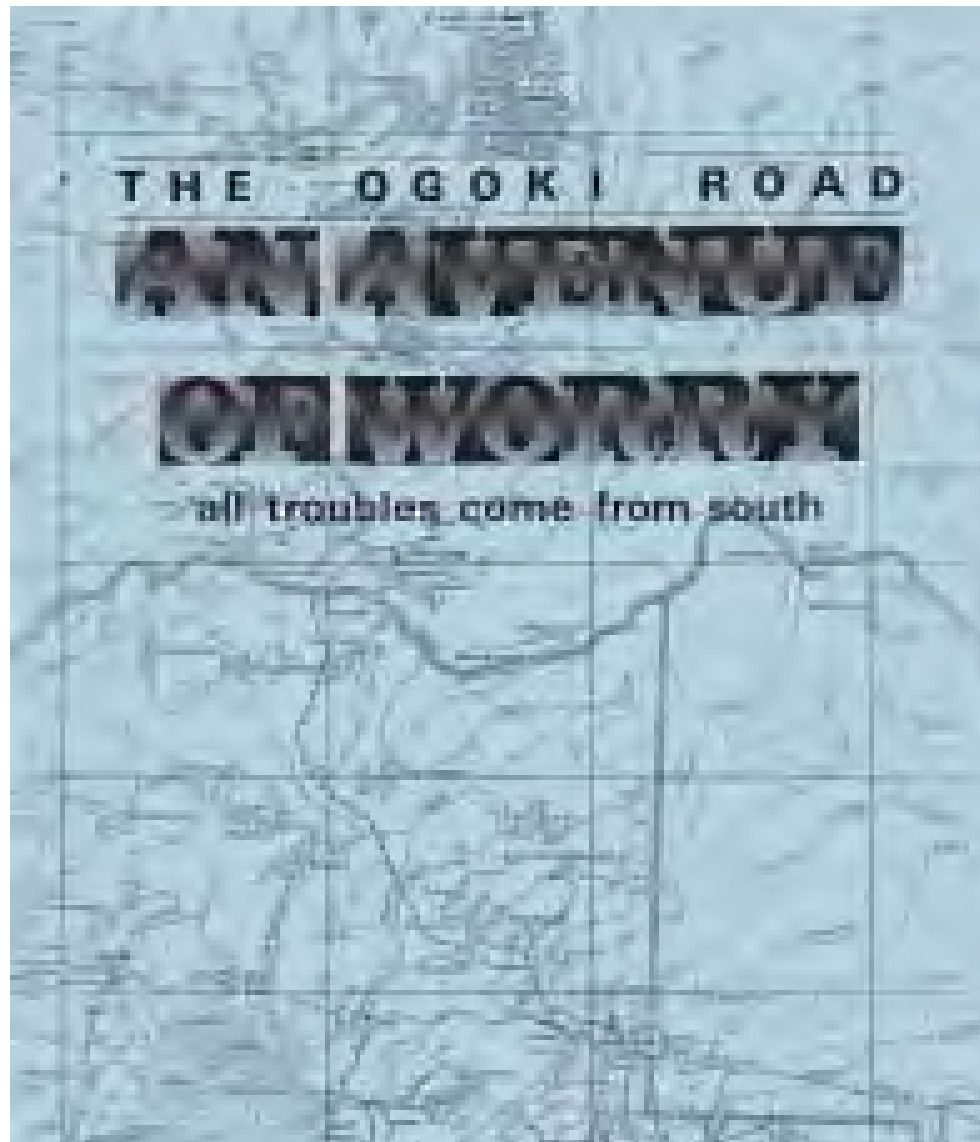








Ogoki Forestry Road Community Socio Economic Study (1982-84)



FORT HOPE
TRAPPING CIRCLE

KIMBERLY-CLARK'S OGOKI WORKING CIRCLE

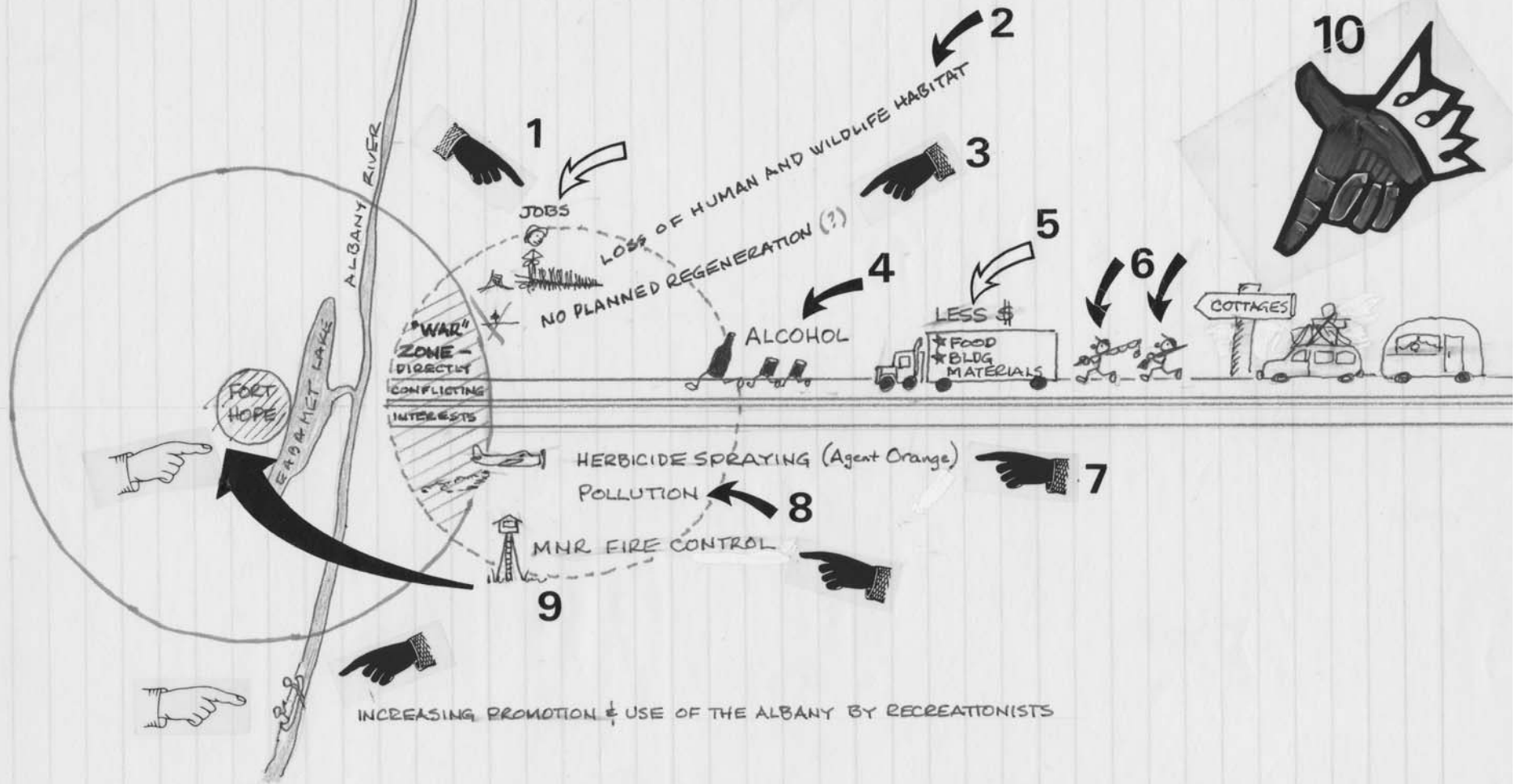


DIAGRAM TO ILLUSTRATE IMPACTS OF THE OGOKI ROAD
UPON THE COMMUNITY OF FORT HOPE

ADVERSE BENEFICIAL

IMPACTS ANTICIPATED BY FORT HOPIANS

ADVERSE

BENEFICIAL

UNANTICIPATED IMPACTS

Key Insights

EA must become a collaborative and partnership-based process, in the spirit of our Treaty relationship:

- We have stewardship authority and responsibility from the Creator
- EA needs to be a tool to plan for the best future, not just 'balance' trade-offs
- Our families live with cumulative historic/ongoing impacts. Projects must acknowledge this reality, and the Crown needs to work with FNs to ensure concerns are addressed as partners
- Involvement through knowledge and decision-sharing will lead to better outcomes for all





Managing outcomes of mining and resource development?

Regulatory Regime:

- Environmental Assessment, Land Use Planning, Permitting etc.

Private Agreements:

- Impact and Benefit Agreements, MoUs, JVs/partnerships, and other socio-economic agreements

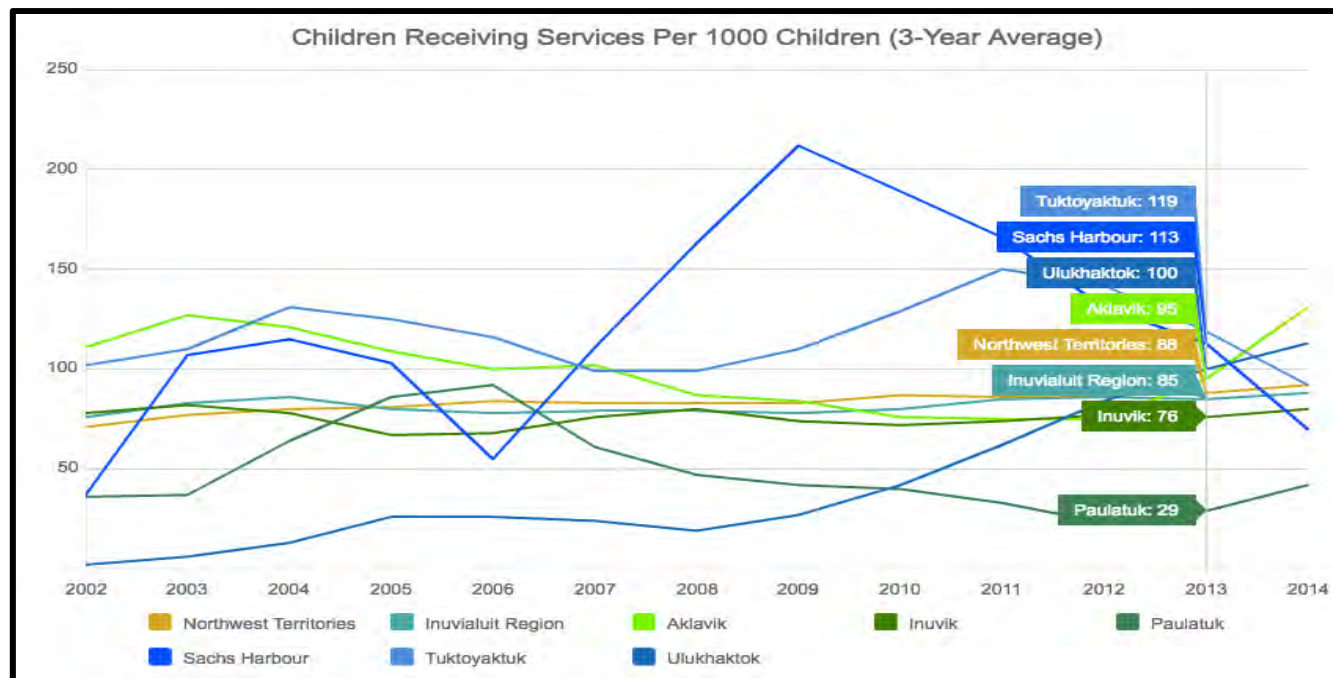
Q: Are these delivering 'better' outcomes?

- Limited research, but provides evidence of some significant benefits (employment etc.), variable long-term impacts (e.g. Tlicho, NWT; Innu, NFLD), and un-met expectations (e.g. Attawapiskat, ON)

Community Well-Being Baselines

Need for time-series evidence:

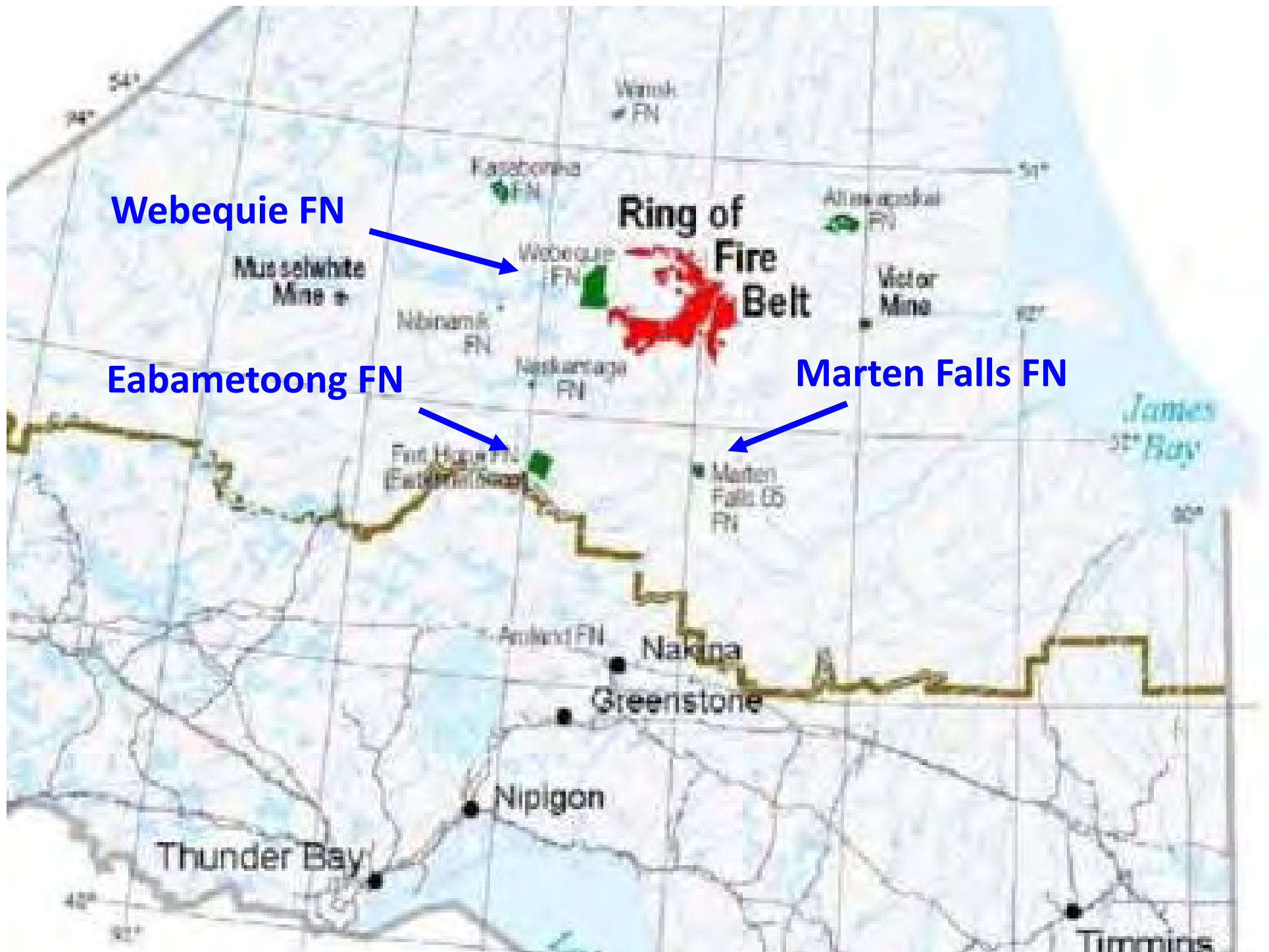
- Some useful socio-economic reporting by mining firms (e.g. DeBeers, Vale, BHP), but post-construction data only
- Limited value of national indices (e.g. CWB, CIW) and standard data for tracking community-specific issues and unique interests



**Eabametoong FN's leaders
wanted something more useful.**

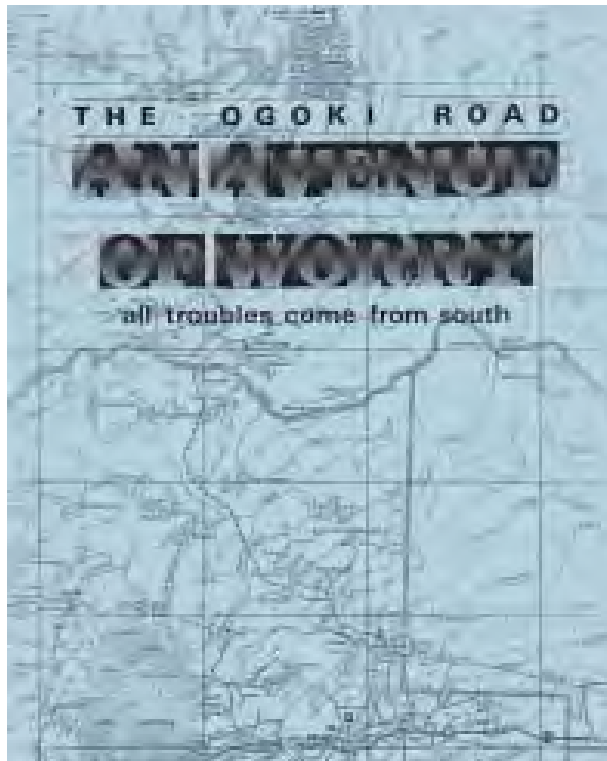
**Monitoring changes
using community-
developed indicators**





30 years...

Motivated by Road
Access and Forestry



Motivated by Road
Access and ROF Mining



Eabametoong First Nation
Community Well-Being Survey Report
Summary Report 2 – February 2013

...detailed understanding of values, knowledge, and socio-cultural risks of projects

(some) Challenges with ROF EA Approaches

- Narrow, project-focused EAs (like Noront) have limited scope to consider cumulative environmental and 'way of life' impacts, particularly on a regional scale
- Limited alternatives assessment for access corridors
- 1980's Ogoki Road study had a broader scope and approach to socio-cultural engagement than the Noront EA has to date (despite S.C.C. cases and improved EA practice in other regions of Canada)
- Biophysical VECs are not an adequate proxy for impacts to Aboriginal and Treaty rights (e.g. no adverse impact to moose population vs. right to hunt/harvest moose)
- Limited focus on Cultural Heritage Resources (sites) vs. living Aboriginal culture and Traditional knowledge/values
- Even with amended EA ToR (2015), quality of EA participation is dependent on industry financing and commitment to corridors prior to EA

EFN Suggestions for Improved Practice

- EFN has invested heavily into developing socio-economic and cultural research, and has the tools/understanding to participate in EA – but these must be applied in meaningful partnership with Crown, not adversarial EA
- Reconfigure approach to consider full suite of cumulative effects and apply positive test of contributing to sustainability and betterment of life (according to FN + other indicators)
- EA must be linked to broader environmental governance actions and management bodies – effective long term monitoring and adaptive management is vital to EA legitimacy
- As Andy explained, EFN and others need to jointly arrive at decisions in EA processes with the Crown