



The Changing Landscape of Meaningful Indigenous Engagement

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Agenda

- 01** Introduction and Overview
- 02** What We're Hearing / How We've Responded
- 03** Lessons Learned and Key Strategies
- 04** Long-Term Relationship Building

Introductions



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Disclaimer

- These lessons learned are based on project learnings over the past several years, understanding that the experience of our team is typically working on behalf of a project or a proponent.
- This presentation is not intended to generalize the overall opinions of Indigenous Communities in relation to projects.



02

What We're Hearing / How We've Responded



Indigenous Engagement is not a Checkbox

Corners are Being Cut and Engagement Feels Hollow

What We're Hearing	How We've Responded
<ul style="list-style-type: none">• The engagement process feels ingenuine• Consultation feels like a formality instead of an opportunity for input.• Meetings with Indigenous Communities are often capped at 30 minutes.• The right people are not being brought to meetings to answer questions from Indigenous Communities.• Project teams are underprepared for meetings.• Project teams are not providing relevant information.	<ul style="list-style-type: none">• Meeting length should be sufficient to discuss issues without being rushed. Suggest at least an hour and perhaps discussed in advance with indigenous community• Anticipate questions and ensure the right people from the project team are included in the meetings to be able to answer questions (e.g., cultural heritage, natural environment etc.)• Ensure that decision-makers from your organization are present at meetings.• Be prepared to make commitments either during, or soon after, meetings.

Lack of Transparent Decision-Making

What We're Hearing	How We've Responded
<ul style="list-style-type: none">• There are minimal touchpoints between Indigenous Communities, consulting teams, and project proponents in-between already infrequent meetings.• Indigenous Communities are often not made aware of project decisions that are made until the completion of the EA or the project.• More clarity needs to be given to why or why not recommendations from Indigenous Communities have been implemented.• There are too many “this comment has been noted” responses and not enough thoughtful responses.	<ul style="list-style-type: none">• Ensure that thorough notes are always taken so that input is not misconstrued.• Verify the content of your notes with Indigenous Communities before making decisions.• Provide exact feedback on whether or not a comment has been incorporated into your decision-making process or deliverable.• Follow a <i>What We Heard, What We Said, What We Did</i> model to engagement.• If feedback is not implemented, thoroughly explain why this was the case.• If feedback is implemented, thoroughly explain how that feedback was integrated.

Mis-Categorization during the Engagement Process

What We're Hearing	How We've Responded
<ul style="list-style-type: none">• Indigenous Communities are often treated the same as typical stakeholders or members of the public.• Separate streams of consultation and engagement are often not offered to Indigenous Communities (i.e., Indigenous Communities receive invites to public meetings, but there are minimal opportunities to meet one-on-one with proponents).	<ul style="list-style-type: none">• Understand that Indigenous Communities are rightsholders.• Suggesting the only touchpoint with Indigenous Communities to be during public meetings is inappropriate.• Always provided a separate engagement stream for each Indigenous Community that you are consulting.

Capacity Constraints and Capacity Funding

What We're Hearing	How We've Responded
<ul style="list-style-type: none">• Indigenous Communities have staff in place to work on engagement projects, but funding is necessary to keep these staff in-place and increase staffing as demand increases.• Many Indigenous Communities do not have the financial or human resources to meaningfully engage with proponents and / or Project Teams on every project.• Many Indigenous Communities are receiving over a dozen project notices every week.• Indigenous Communities will often need to be accommodated so that meaningful consultation can be provided.• Silence is not consent. If an Indigenous Community does not respond to your email, phone call, or project notice, this is not an indication that they consent to your project.	<ul style="list-style-type: none">• Give reasonable notice to engage on projects – two weeks is not enough time for Indigenous Communities to review materials and provide input.• Factor in longer review times in your workback schedule.• Follow-up when you do not hear back.• Determine capacity funding requirements as early as possible and factor these costs in to your budgets.• Be upfront and honest about financial limitations.

Indigenous Communities are not Homogenous

What We're Hearing	How We've Responded
<ul style="list-style-type: none">• There is a belief among project teams and proponents that every Indigenous Community will share the same views for a given project.• Indigenous Communities are increasingly hearing things like:<ul style="list-style-type: none">○ “Another Community had no concerns, we assumed you would have the same input.”○ “We already contacted another Community, should we have contacted you as well?”○ Proponents are “playing favourites”.	<ul style="list-style-type: none">• Learn the engagement preferences of each Indigenous Community you are working with.• Meet with Indigenous Communities separately.• Be open to different modes of engagement: meetings, attendance at Community events, site visits, etc.• Be considerate and aware of different groups within Indigenous Communities such as Council, staff, elders, on and off-reserve members, traditional leaders and more.

Indigenous Views are being Dismissed

What We're Hearing	How We've Responded
<ul style="list-style-type: none">• Indigenous views on cultural heritage and archaeology are routinely ignored.• Project teams are not integrating or not fully integrating Indigenous knowledge in reporting.• Proponents are not taking comments about treaty right infringements seriously.	<ul style="list-style-type: none">• Understand that an Indigenous community itself is the only party who can determine what their own Treaty Rights are.• Understand that the Indigenous community itself is also the only entity able to determine whether a proposal or project will impact their Treaty Rights.• Understand that your worldview and education might be different than those held by Indigenous Communities. The difference does not mean that Indigenous Communities are wrong in any way.• Be open with integrating Indigenous Knowledge in reporting.



03

Lessons Learned and Key Strategies

Lessons Learned

Robust Archaeology Monitoring

- Understand that Indigenous involvement during archaeology works can be a positive step towards reconciliation.
- Choosing the “right” archaeology team is essential to project success.
- Consult with Indigenous Communities before hiring archaeology firms.
- Engage during Stage 1 and 2 Archaeological Assessments, especially in areas and on projects known to be of significant interest to Indigenous Communities.
- Empower Indigenous Communities to take an active role during archaeological projects and share Traditional Knowledge.
- Large upfront investment = better results



Lessons Learned

Training Programs for Field Staff

- On construction projects, we noted a lack of sensitivity and understanding of the role of Indigenous construction environmental monitors.
- In response, we have developed and administered full-scale Indigenous understanding and sensitivity programs to inform and educate field crews and construction teams.
- Training Program Outcomes:
 - Sites have become more positive and inclusive
 - Incidents have decreased significantly
 - Field staff have commented that they appreciate their newly learned lessons and context
 - Work has been able to continue without interruption
 - Project teams are better prepared for future projects



Lessons Learned

Roundtable Meetings

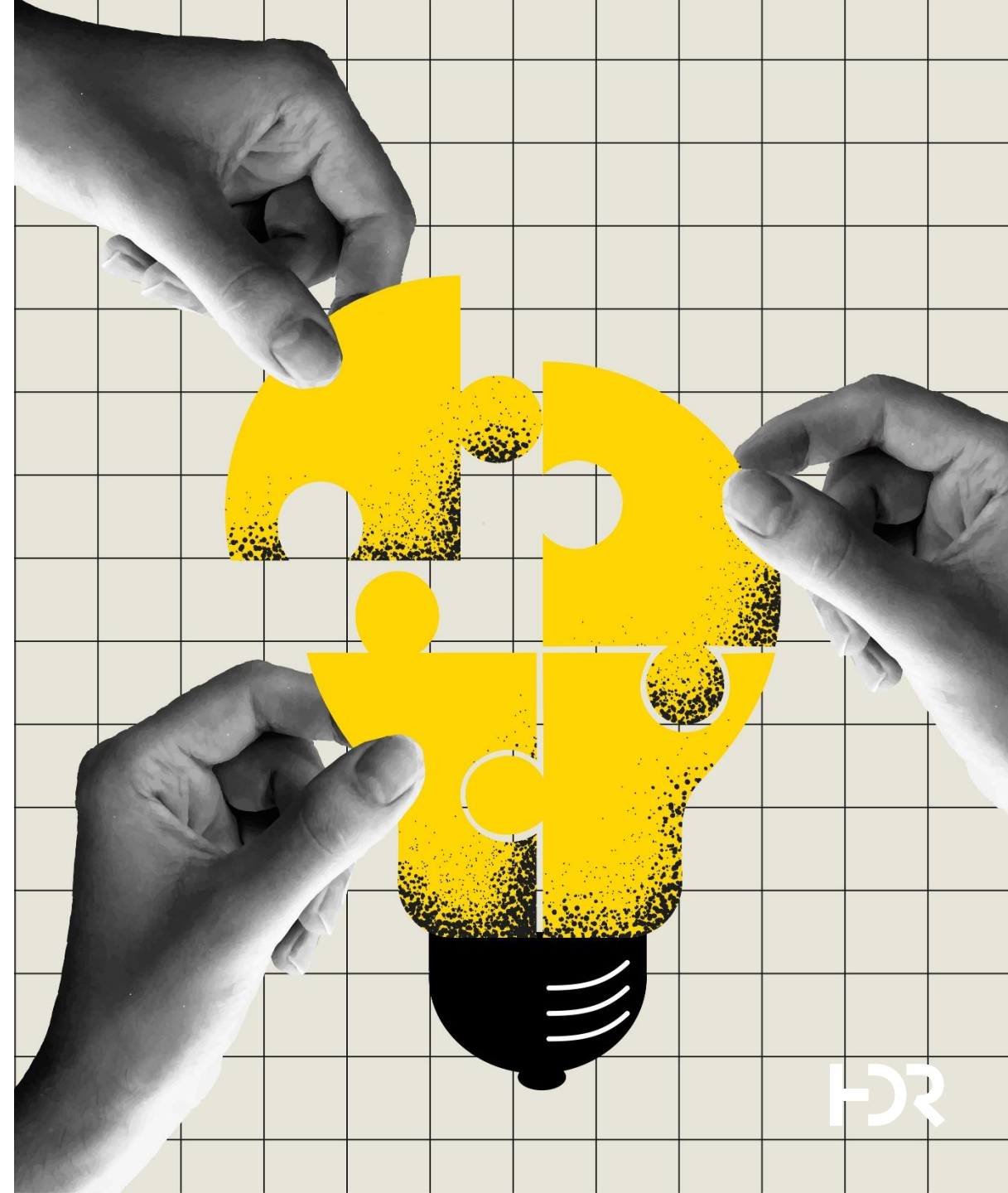
- **Roundtable Meetings:** *Meetings comprised of representatives from multiple Indigenous Communities and project proponents.*
- It is essential to understand all input provided by Indigenous Communities.
- On projects where there have been a variety of archaeological, environmental, and construction concerns, roundtables can provide opportunities to learn from multiple Indigenous Communities on multiple topics.
- Indigenous Communities are not homogenous, but these meetings are sometimes necessary to expedite input on urgent issues.
- **Note:** This does not replace the need for separate nation-to-nation consultation meetings.



Lessons Learned

Co-Creation

- **Co-Creation:** *a collaborative initiative between proponents and Indigenous Communities that enables the joint design and delivery of projects. Creating space at the decision-making table for Indigenous Communities to make decisions alongside project proponents*
- Co-Creation is inherently rooted in:
 - Equity
 - Empowerment
 - Collaboration
 - Consent
- Examples:
 - General project design elements
 - Contaminated soils disposal
 - Construction management



04

Long-Term Relationship Building



Long-Term Relationships

Engagement doesn't start or stop at the IA stage

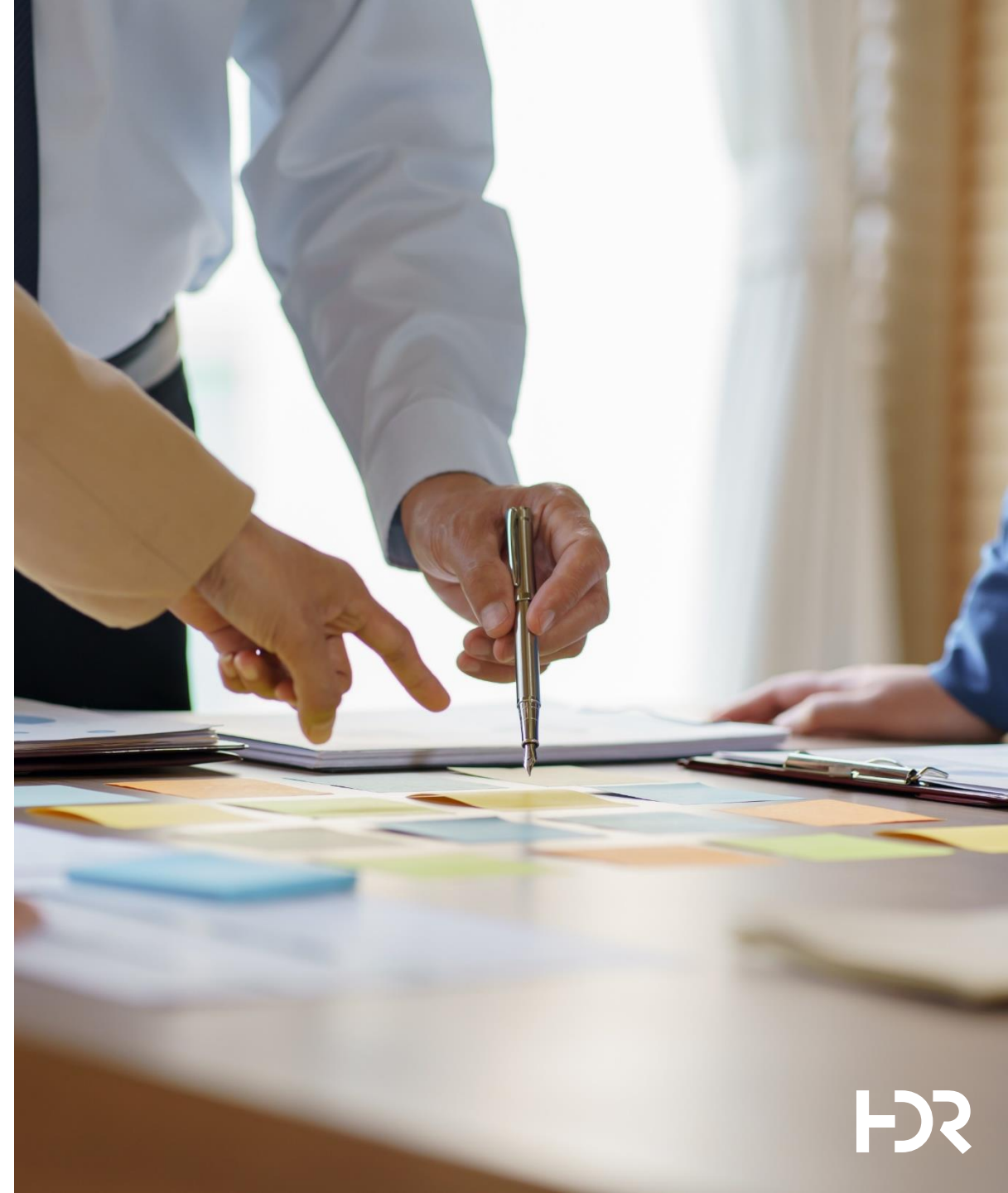
- The history of a client and/or those who work for them with Indigenous Communities factors into the relationship with these communities during an IA process.
- As does the history of previous relationships of that community with other proponents and the government (legacy of prior engagement and project delivery).
- Awareness of that history is critical, and positioning in relation to legacies is needed.
- Acknowledgement of that history may be necessary.
- Addressing that relationship may also be necessary.



Long-Term Relationships

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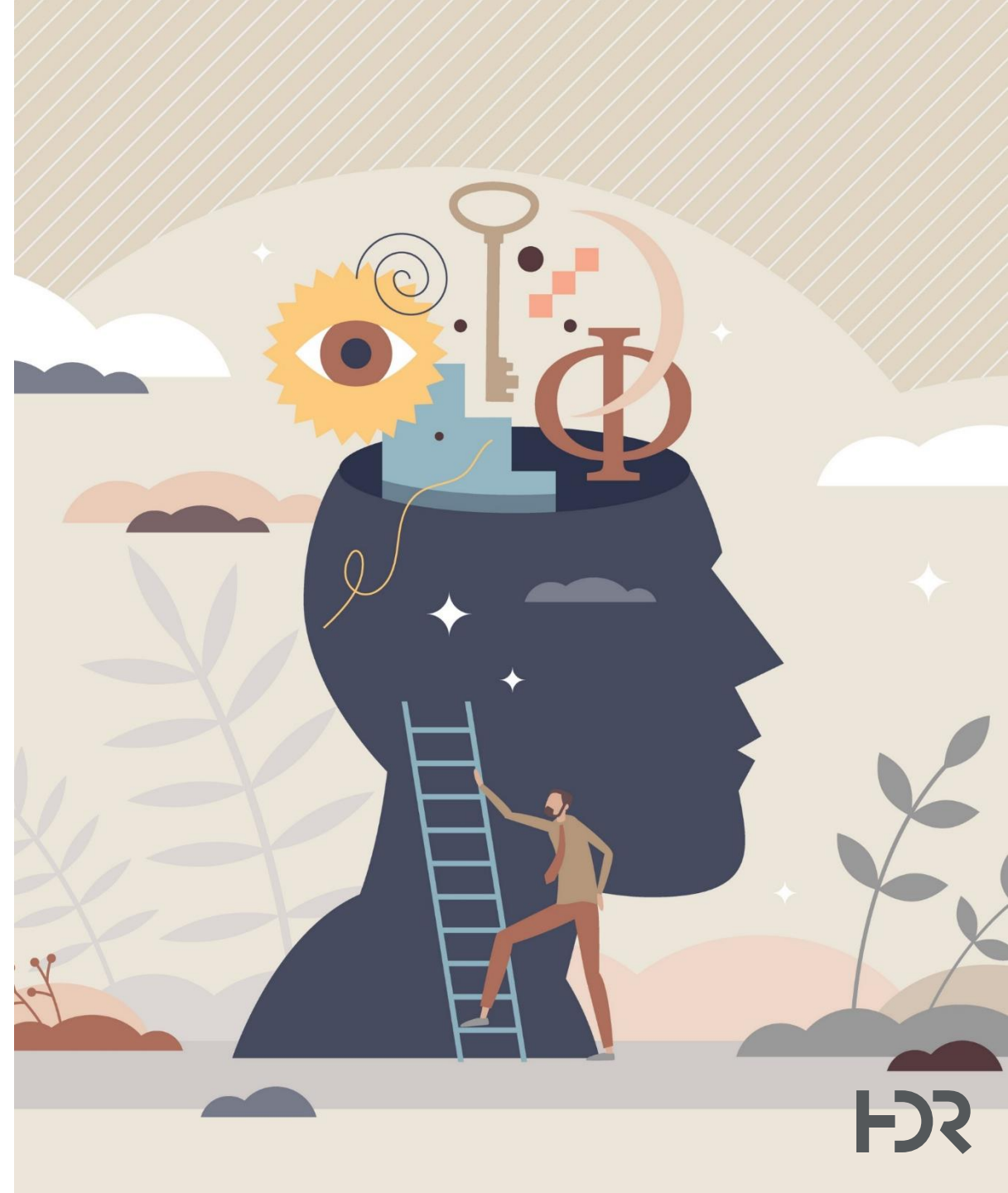
- Engagement at the IA stage will establish (in part) the nature of the relationship with Indigenous Communities moving forward.
- Increased prevalence of benefits agreements, long-term relationships for construction / operation, project equity and investment (ownership).
- Often communities will engage in broader internal engagement to determine what long-term relationship is acceptable to its members.
- Decisions and approaches applied in the IA process can often be reviewed/revisited while those decisions are being made.



Long-Term Relationships

Engagement doesn't start or stop at the IA stage

- We have observed cases where the focus of a client on providing longer term opportunities to an Indigenous Community, becomes the primary focus of that client when engaging with that community in the IA process.
- The potential provision of future benefits does not negate/mitigate the potential effects of a project on a community and/or traditional practices by a community, they are a separate matter.
- During the IA process, it is key to recognize that these are separate and distinct matters. The IA methodology should address potential effects on Indigenous Communities and incorporate consideration of Traditional knowledge separately from acknowledging the intent for provision of any future benefits.



Long-Term Relationships

Engagement doesn't start or stop at the IA stage

In Summary:

- Indigenous Engagement is a critical element of long-term relationship building, and for successful project delivery of the project in focus or other initiatives on behalf of the proponents and Indigenous Communities.
- Need to follow-through on commitments made during engagement to establish a positive record of relationship building.



It's all
about
relationships