



# Environmental Assessments and Aboriginal Peoples in Northern Ontario

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# Presentation Overview



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2. Characteristics of Northern EAs
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4. Ways Aboriginal People Can be Involved
5. Aboriginal Values
6. Assessing the Impact of a Project on First Nations and Aboriginal Peoples Rights, Resources, Values and Interests
7. What is the Crown Doing?

# My Background



- ◆ Working in Northern Ontario for last 15 years.
- ◆ Environmental Assessment, Forest Management/Audits/Certifications, Socio-Economic Studies
- ◆ Worked or Consulted with over 25 First Nations and Aboriginal Organizations in Ontario.

# Characteristics of EAs in Northern Ontario and Aboriginal Peoples



- ◆ Generally on Crown Land
- ◆ Treaties Signed
- ◆ First Nations and Aboriginal Peoples continue to carry out traditional activities that are protected under treaties (trapping, fishing and hunting) that can be impacted

# Characteristics of EAs in Northern Ontario and Aboriginal Peoples



- ◆ Aboriginal Values on the landbase have been identified, mapped and protected (varying degrees of success)
- ◆ First Nations and Aboriginal Peoples have an interest in projects owing to the lack of economic opportunities in Northern Ontario
- ◆ Many First Nations now have members who have experience in resource management and environmental assessment

# Factors Determining Level of Involvement



- ◆ Consultation with First Nations and Aboriginal Peoples now required.
- ◆ Consultation and Involvement of First Nations and Aboriginal Peoples in EAs Dependent on:
  - ❖ Rights, values and resources being impacted
  - ❖ Proponent's Perspective – Economic, Legal, Benevolent, Practical, etc.
  - ❖ Project – Location, Magnitude
  - ❖ First Nations and Aboriginal Organizations Interest

# Continuum of Involvement



- ◆ Consultation – Notification Only
- ◆ Consultation Light (ie. meetings)
- ◆ Consultation – Moderate (ie. more creative ways to engage)
- ◆ Consultation and Beneficiary (ie. jobs, impact and benefits agreement)
- ◆ Co-Proponent
- ◆ Proponent

# Ways First Nations and Aboriginal Peoples Can Involved in EAs?



- ◆ Standard Consultation
- ◆ Consultation in the way they want to be consulted with (ie. Chief and Council, Community Meetings, Tours, Piggy-Backing on Other Activities)



# How Can First Nations and Aboriginal Peoples Be Involved?

- ◆ Identification and Sharing of Values (ie. point values)
- ◆ Work with archaeologists
- ◆ Assisting in Fieldwork



# Ways First Nations and Aboriginal Peoples Can Be Involved in EAs?



- ◆ Writing Chapters of the EA in the way they want.
- ◆ Lower Mattagami "ISHI KA NA WA PAH TA MAHK KIT ASKI NANU – OUR VIEW OF THE LAND"
- ◆ Assessing the impact on the Project on their Aboriginal Values, Interests, Rights and Resources

# Which FNs and Aboriginal Organizations to Consult With?



- ◆ Generally work with First Nations directly rather than through Tribal Councils and PTOs.
- ◆ Which First Nations to Consult With – Do Government Agencies Help?
- ◆ Which First Nations? Whose Traditional Territory?
- ◆ Metis
- ◆ Aboriginal Communities (wide range of communities and rights)

# Aboriginal Point Values and Interests



- ◆ Values on the land that require protection
- ◆ What are They? Cultural/Historic/Spiritual – Culturally Modified Trees, Pictographs, Graves
- ◆ What are They? Socio-Economic/Environmental – Trap Cabins, Important Fishing/Hunting/Collecting Areas
- ◆ Small Areas

# Aboriginal Point Values and Interests



- ◆ Native Values identification, collection and protection required through Timber Class EA
- ◆ Area of the Undertaking
- ◆ Objective of protecting values from negative impacts of forest management activities (e.g., harvest operations, road building)



# Aboriginal Point Values and Interests



- ◆ Most First Nations in the Province have participated in Aboriginal Values Collections as part of FMPs since mid-late 1990s.
- ◆ MNR funding (limited).
- ◆ First Nations have identified anywhere from a few to hundreds of values.
- ◆ Mapped and mostly with co-ordinates
- ◆ First Nations generally keep the map.

# Assessing the Impact on Aboriginal Rights, Resources, Values and Interests



- ◆ Rights – Trapping, Hunting, Fishing – How are they impacted?
- ◆ Resources – Wildlife and Fish populations, Plants, Trees, etc.
- ◆ Values – Point historic, social, cultural, spiritual, socio-economic, etc.
- ◆ Interests – with this specific project or study area (e.g., jobs, investment, infrastructure)

# What is the Crown Doing?



- ◆ Crown maintains the ultimate Duty to Consult
- ◆ Crown's advice to proponents has been haphazard but has improved.
- ◆ Crown generally lacks people with significant Northern Ontario experience to guide proponents in dealing with individual First Nations and Aboriginal organizations.
- ◆ Revenue Sharing

1980 - 2005

**25**

YEARS OF  
ENVIRONMENTAL EXCELLENCE  
WORLDWIDE

**SENES  
Consultants  
Limited**

**THANK YOU**