

DESIGNING CULTURAL ASSESSMENT OVERVIEWS AND CULTURAL PROTECTION PLANS



PRESENTATION TO INTERNATIONAL ASSOCIATION FOR IMPACT
ASSESSMENT – WESTERN AND NORTHERN CANADA AFFILIATE

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Introduction

1.0 Introduction

1.1 Background

1.2 Snow and Associates, Inc.

2.0 Cultural Assessment Overviews

2.1 Why do it?

2.2 What is it?

2.3 Phased Approaches

2.4 Process

3.0 Cultural Protection Plans

4.0 Recommendations for Cultural Impact Assessors and Practitioners



1.1 Peter Snow Background

Mr. Peter Snow, B.E.S., Stoney Nakoda First Nation, Wesley Band President, Snow and Associates, Inc.

- Mr. Peter Snow is a Wesley Band member of the Stoney Nation holds a Bachelor of Environmental Science from the University of Waterloo and continues studies toward a Masters of Environmental Science Degree at the University of Calgary.
- Since 1990, Peter has worked as an environmental coordinator, planner and inspector for the Stoney First Nation, Nova Gas Transmission, TransCanada Pipelines, Foothills Pipelines, Shell Canada, and Husky Oil Operations for projects in Alberta, Saskatchewan, Manitoba, Ontario and Quebec. Specializing in assessing and implementing environmental protection plans for pipelines, well sites, seismic and associated infrastructure. Peter has front-line experience in dealing with complex environmental and First Nation community issues such as, reporting procedures, regulatory requirements and advising on site planning, construction, cleanup and reclamation.
- Peter sits on the Southern Alberta Institute of Technology's (SAIT) Environmental Technology Advisory Board and Mount Royal College (MRC) Environmental Advisory Board to develop how First Nations contribute to environmental assessments and curriculum development.

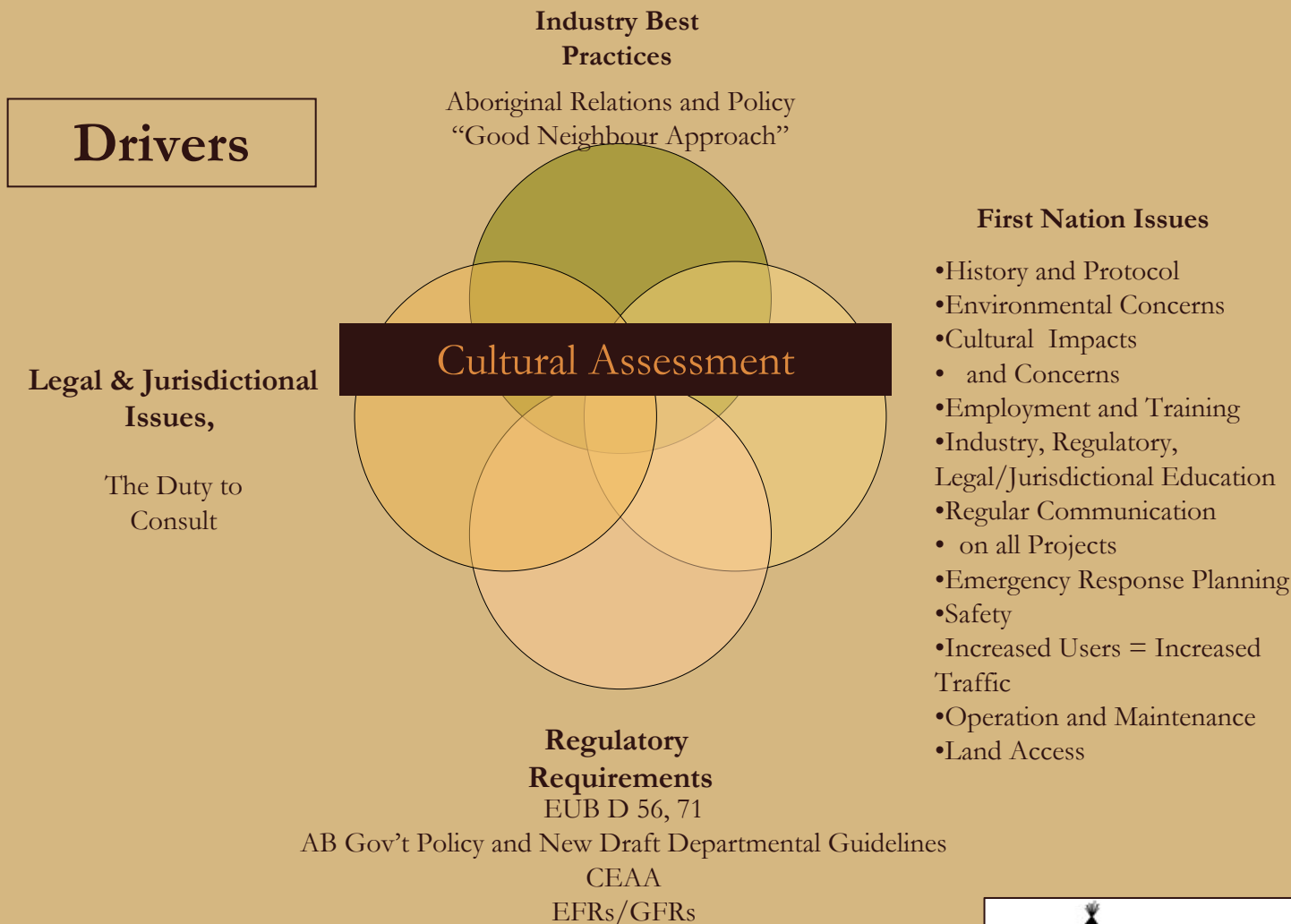


1.2 Snow and Associates, Inc.

- Incorporated in Alberta in 1999
- Provides consulting services in 4 areas – Environmental Assessments, Cultural Assessments, Project Facilitation and Workshops/Seminars
- Recently, the majority of projects include work off Indian Reserves on provincial crown land, federal land, leased land, private land
- Advise First Nations and Industry on appropriate protocols, processes, and developing appropriate mitigation for natural resource development projects
- In developing CAO's, Snow and Associates, has developed a process that partially addresses the issues of regulatory requirements, industry requirements, jurisdictional considerations and First Nation concerns.



2.1 Cultural Assessment – Why do it?



2.2 Cultural Assessment Overview – What is It?

- Cultural Assessment Overview (CAO) is a process to address resource development impacts to First Nation cultural resources. This process has been developed to assist resource developers, government agencies and First Nation communities to identify, verify and protect cultural resources.
- The CAO incorporates First Nation representatives as key participants who identify and recommend mitigation measures for areas identified as culturally significant and warrant appropriate cultural protection measures. A final report is completed which includes a Cultural Protection Plan (CPP) identifying project specific mitigation measures for cultural resources.
- In order to address CAO's in a meaningful manner, Snow and Associates has developed a phased approach to Cultural Assessment.



2.3 Phased Approaches

- A CAO Phase I (Identification) involves a process of identifying First Nation (FN) cultural locations. This process can include:
 - early notification of the project construction schedule and proposed activities;
 - identification and protection of intellectual property recorded and documented from First Nation participants (Consent & Release Form);
 - a meeting record of participants and project updates;
 - and a review of Traditional Environmental Knowledge (TEK) and historical information.
- A final report is prepared for the project proponent and authorized First Nation representatives or bodies, for review and input. If no sites have been identified, within the project area and depending on Band representatives input, no further studies should be required; a final report with a Cultural Protection Plan (CPP) should suffice.
- If sites are identified in the project area, a CAO Phase II may be recommended.



2.3 Phased Approaches

- CAO Phase II (Verification) – involves a process for verifying the impact of FN Cultural Resources. This process can include:
 - the scheduling of site visit(s) that include the participation of First Nation Traditional Knowledge Holders (Elders) from representative communities;
 - detailed discussion of Cultural Resources to develop site classification and mitigation in order to address FN concerns;
 - a plan to address disturbance / impacts to FN cultural resources;
 - and a meeting record of participants and project updates.
- Depending on the number of sites identified and mitigation recommendations, a final report may be able to address all FN cultural concerns with specific reference to a Cultural Protection Plan (CPP), identified in this report.
- If mitigation warrants continued site monitoring during short and long term construction and operational aspects, a CAO Phase III may be recommended.

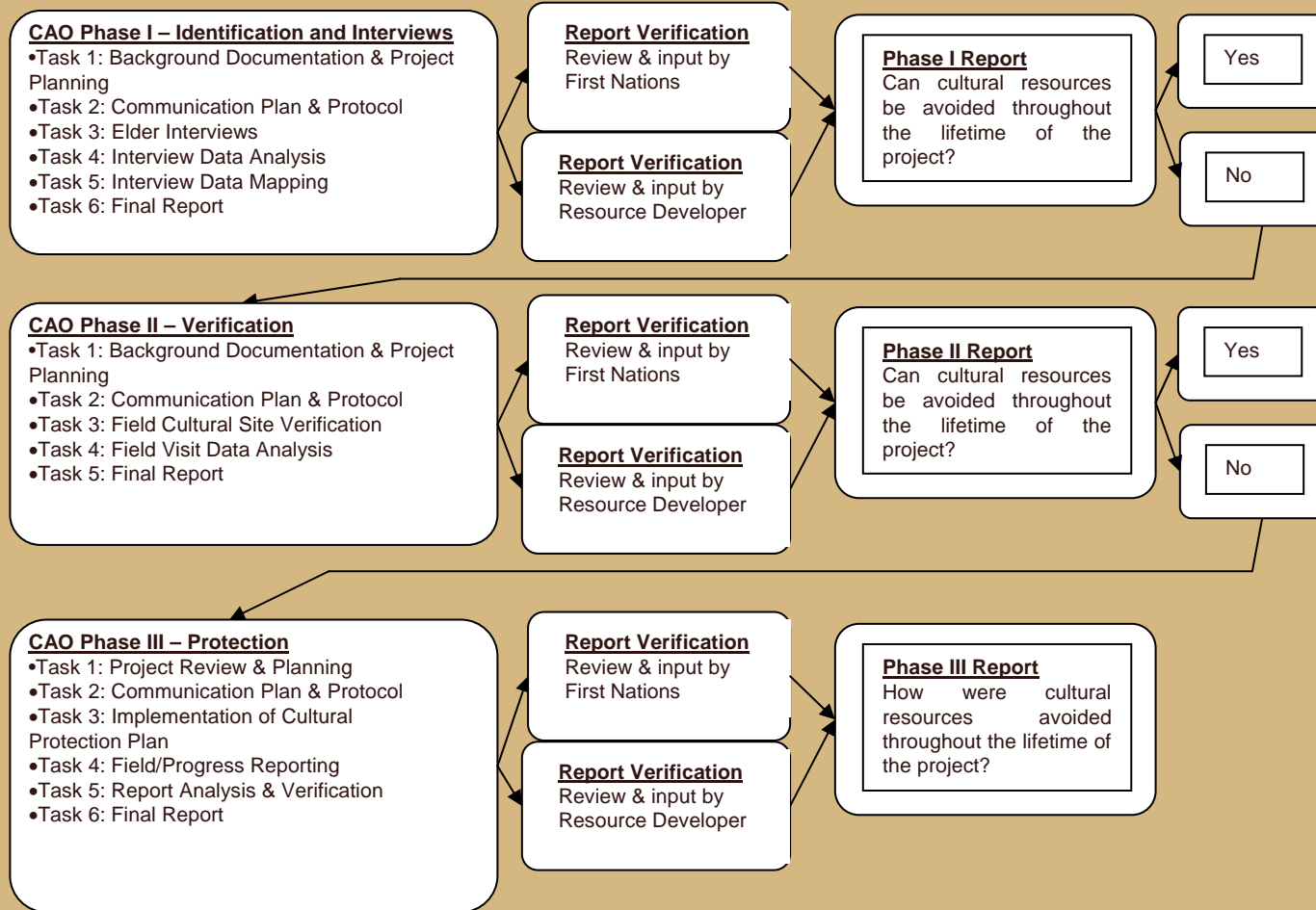


2.3 Phased Approaches

- CAO Phase III (Protection) – involves a process for protecting FN cultural resources from potential resource development impacts identified in CAO Phase I and II reports. This process can include:
 - regular meetings with authorized First Nation representatives on components of the project;
 - how the CAO Phase I and II recommendations are being implemented and evaluated (i.e. monitoring, regular inspections, etc.);
 - discussing and evaluating additional or future projects that may be occurring in the area;
 - and providing consistent updates to band members through regular communications (i.e., newsletter, local radio stations, open houses, etc.).
- A final report for the FN leadership and community is recommended which documents how sites were protected through photographs, reports and evaluated against CAO Phase I and II reports.



2.4 Process



3.0 Cultural Protection Plans

- How do you develop and recommend mitigation of site specific Natural Resource Development impacts to First Nation Cultural Resources?
- How do you recommend successful mitigation? (for instance, how do you ensure that the sacredness of an area is maintained? How do you ensure the spirituality of an area is protected?)



3.0 Cultural Protection Plans

CPP's can be effective for multiple project users if specific information can be acquired during data collection. Fixed sites can be tied to a specific location on a map and should be confirmed, if possible, with GPS coordinates. Non-fixed sites cannot be marked as a single location on a map and may refer to a particular area or region where traditional use activities are practiced (a river where a particular fish is caught), or to an area or land form that is considered sacred (e.g. a mountainous region). Sites can be generally divided into the following categories:

- Harvesting
- Ecologically Significant
- Habitation Sites
- Watercourses
- Sacred Sites
- Oral History

It is also important to note that many sites will have multiple and overlapping designations.



3.0 Cultural Protection Plans

Value	Description	Recommended Mitigation
5	Highest Priority Burials, scared sites, spiritual locations	<ul style="list-style-type: none"> •Avoid where possible. These sites are subject to in depth review and consultation with band. •Cultural monitor(s) is highly recommended. •Ceremony required.
4	High Priority Sacred sites, medicine areas, oral history sites, critical harvesting habitat.	<ul style="list-style-type: none"> •Recommended set backs and avoidance measures. •Traditional Restricted Activity Period (TRAP) may be required. •Ceremony required. •Cultural monitor(s) is recommended.
3	Medium Priority Medicine areas, oral history sites, critical harvesting habitat.	<ul style="list-style-type: none"> •Recommended set backs and avoidance measures. •Traditional Restricted Activity Period (TRAP) may be required. •Harvest recommendations possible. •Ceremony maybe required. •Cultural monitor(s) recommended.
2	Medium-Low Priority Harvesting, Oral history, spiritual sites.	<ul style="list-style-type: none"> •Pre-construction harvest maybe recommended. •Cultural monitor(s) recommended.
1	Low Priority Abundant harvesting, non-medicinal harvesting	No mitigation required.



3.0 Cultural Protection Plans

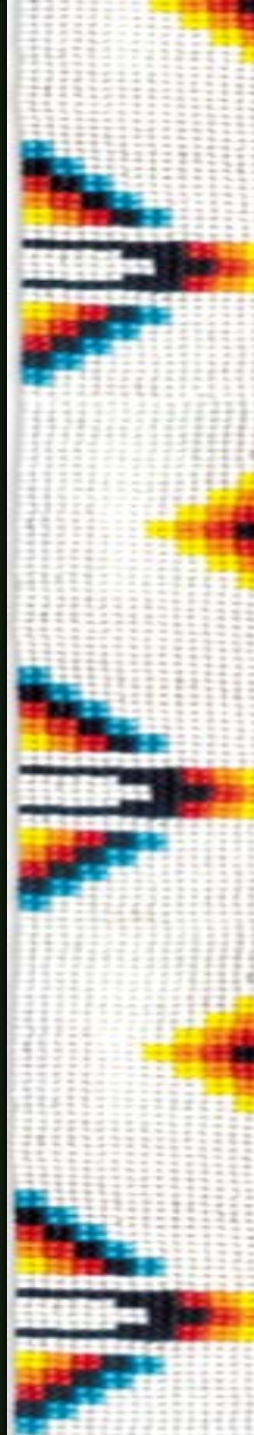
Conclusions

- Cultural Protection Plans (CPP's) like Environmental Protection Plans (EPP's) can be useful at a practical field construction level.
- Knowing specific requirements for gps'd sites will address site specific concerns with all forms of natural resource development
- CPP's are an end product for multiple users on mega projects requiring this information to be channeled to a wider spectrum of individuals.
- CPP's derived from the CAO process can provide site specific mitigation and certainty to short and long term project impacts.



4.0 Recommendations for Cultural Impact Assessors and Practitioners

- Develop a Code of Ethics for Cultural Assessors and Practitioners that includes input from First Nation communities.
- Update this Code of Ethics on a regular basis
- Develop a generic protocol for conducting Cultural Assessments with Indigenous communities.
- Develop a communication and translation protocol for requesting traditional knowledge from Indigenous people
- Develop a consent and release form for Indigenous participants that explains the nature and purpose of participating in cultural assessments.



QUESTIONS

