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CUMULATIVE ENVIRONMENTAL MANAGEMENT ASSOCIATION (CEMA)

Report Disclaimer

This report was commissioned by the Cumulative Environmental Management Association (CEMA).

This report has been completed in accordance with the Working Group's terms of reference. The Working Group has closed this project and considers this report final.

The Working Group does not fully endorse all of the contents of this report, nor does the report necessarily represent the views or opinions of CEMA or the CEMA Members.

The conclusions and recommendations contained within this report are those of the consultant, and have neither been accepted nor rejected by the Working Group.

Until such time as CEMA issues correspondence confirming acceptance, rejection, or non-consensus regarding the conclusions and recommendations contained in this report, they should be regarded as information only.

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Summary of Scientific Report for Work Group ACC / TKWG / TKF Committee

CEMA Working Group/Task Group

Traditional Knowledge Working Group

CEMA Contract Number

2014-0005

Principal Investigators/Consultant

Craig Candler and David Thompson, The Firelight Group

Project Description

Working under the direction of CEMA's Traditional Knowledge Working Group, and seeking input and feedback from representatives all four CEMA Caucuses (Aboriginal, Industry, Government & Non-Governmental Organizations), develop a draft Traditional Knowledge Framework. (The Framework was subsequently renamed at the direction of CEMA as the Indigenous Traditional Knowledge Framework.)

See Context and Background section below, for more detail.

Project Deliverables and Timeline (by Task number)

1. Confirmed Project Plan, including budget delivered and presented to TKWG May

- 2014.
2. Engagement/ Communications Plan delivered and presented to TKWG June, 2014. First round face to face meetings in July - August, 2014.
 3. Draft options / domain specific recommendation summary delivered and presented to TKWG Nov – Dec, 2014.
 4. Distribution of draft options / recommendations to all reviewers Dec 2014. Round 2 face to face meetings, Elder / Coaching Workshop Feb. 2015.
 5. Integration of responses and Draft TKF delivered and presented to TKWG for internal review April 2015
 6. Review and adjustments to text of TKF.
 7. Draft TKF distributed to all reviewers May, 2015. Round 3 face to face meetings with final TKF community and caucus review workshop June, 2015.
 8. Final TKF and 'Plain Language Summary delivered and presented to TKWG July, 2015, and Presented at August 2015 Elder's Workshop.
 9. Final TKF presented to CEMA board in November 2015. Originally scheduled for September 2015, but board wished to consider the text for a longer period in advance of the meeting.

Note: No spatial data or audio or video files were gathered for this project. Firelight provided CEMA with PDF and MS Word versions of the ITKF via email, as well as on DVD (two copies), along with two hardcopies of the ITKF.

Project Status

Completed.

Highlights/Milestones/Key Findings/Etc.

- Support among all four CEMA caucuses for the broad aim of the ITKF: the meaningful and successful inclusion of Indigenous Traditional Knowledge in environmental decision-making.
- Identification of key benefits of the ITKF, including:
 - increasing respect, protection and use in decision-making of Indigenous traditional knowledge
 - reducing financial, environmental, social, and cultural risks associated with developing natural resources
 - improving relationships and minimizing disputes
 - increasing certainty of environmental decision making processes
 - improving decisions through better information
 - strengthening public and international trust in environmental decisions that affect the region. (

- The ITKF produced under the oversight of the TKWG, organized into sections including:
 - Guiding Principles
 - Implementation recommendations in four categories (short term and long term for all four):
 - General
 - Land Use Planning and Implementation
 - Regulatory (Project Based)
 - Monitoring
 - Responsibilities of Indigenous communities, government, industry and non-governmental organizations.

Context and Background

This section provides additional information about the development of the Indigenous Traditional Knowledge Framework. See also the sections above.

In 2014 and 2015, representatives of Indigenous Communities, industry, government and non-government organizations came together to identify gaps, challenges, benefits and solutions for the meaningful and successful inclusion of Indigenous Traditional Knowledge in environmental decision-making. Indigenous Traditional Knowledge is more than knowledge about the environment. It is part of a larger integrated and holistic body of knowledge that also includes cultural, economic, political, social and spiritual inter-relationships, and it embodies a holistic approach to decision-making. See Appendix II of the ITKF for a fuller discussion of Indigenous Traditional Knowledge.

Their efforts were supported by CEMA's Traditional Knowledge Working Group (TKWG). The initiative was part of a larger Indigenous Traditional Knowledge Framework Project (ITKF Project) spearheaded by the TKWG. The ITKF Project integrated over 1,600 comments, suggestions, responses and other input received in meetings and workshops, by phone, in writing and electronically.

The Indigenous Traditional Knowledge Framework is one output of the ITKF Project. It is intended to inform the use of Indigenous Traditional Knowledge in environmental decision-making. Its focus is Traditional Knowledge, not consultation, accommodation or Indigenous rights. It does not purport to fulfill or replace the obligations of the Crown or other parties to Indigenous communities. Nor does it purport to affect protocols created by Indigenous communities for engaging government, industry, or others, or for gathering, documenting, managing or sharing Traditional Knowledge. Implementation of the ITK Framework may be useful in developing, but does not provide, a traditional land use management plan.

The success or failure of industry, government, and regulatory bodies, acting within their scope, to meaningfully and successfully include Indigenous Traditional Knowledge in environmental decisions will hinge on whether they adopt, monitor and enforce rules and policies requiring that inclusion.

CEMA Indigenous Traditional Knowledge Framework Project

Indigenous Traditional Knowledge Framework

*Principles for the Inclusion of Indigenous
Traditional Knowledge in Environmental
Decision-Making for North East Alberta*

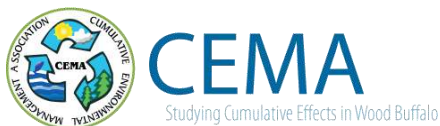
October 8, 2015

Submitted by Firelight and amended by CEMA-TKWG



CEMA

Studying Cumulative Effects in Wood Buffalo



This document was created by many minds. Thank you to the First Nations and Métis Elders, knowledge holders, leaders and staff who have helped inform and shape it. Thanks also to representatives of CEMA’s Industry, Government and NGO caucuses for reviewing documents, providing input and participating in workshops and conference calls. And many thanks to the members of CEMA’s Traditional Knowledge Working Group and Aboriginal Coordinating Committee who provided guidance, leadership, commitment and strong engagement throughout the engagement, analytical and drafting processes; this document could not have been prepared without their thoughtful participation.

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Context and Background

In 2014 and 2015, representatives of Indigenous Communities, industry, government and non-government organizations came together to identify gaps, challenges, benefits and solutions for the meaningful and successful inclusion of Indigenous Traditional Knowledge in environmental decision-making. Indigenous Traditional Knowledge is more than knowledge about the environment. It is part of a larger integrated and holistic body of knowledge that also includes cultural, economic, political, social and spiritual inter-relationships, and it embodies a holistic approach to decision-making. See Appendix II for a fuller discussion of Indigenous Traditional Knowledge.

Their efforts were supported by CEMA's Traditional Knowledge Working Group (TKWG). The initiative was part of a larger Indigenous Traditional Knowledge Framework Project (ITKF Project) spearheaded by the TKWG. The ITKF Project integrated over 1,600 comments, suggestions, responses and other input received in meetings and workshops, by phone, in writing and electronically. The input received confirmed potential benefits of an ITK Framework, including:

- increasing respect, protection and use in decision-making of Indigenous traditional knowledge
- reducing financial, environmental, social, and cultural risks associated with developing natural resources
- improving relationships and minimizing disputes
- increasing certainty of environmental decision making processes
- improving decisions through better information
- strengthening public and international trust in environmental decisions that affect the region.

This document – the Indigenous Traditional Knowledge Framework - is one output of the ITKF Project. It has been provided to the TKWG for its review and consideration. The TKWG may then provide support to the CEMA Board of Directors on the potential submission of materials and advice to the Government of Alberta.

This document is intended to inform the use of Indigenous Traditional Knowledge in environmental decision-making. The elements of this document are intended to be implemented as a whole. The document itself is intended to be maintained as a living document and revisited as conditions change within the region, while adhering to the original intent of respectful inclusion of Indigenous Traditional Knowledge in land and resource management. This document could reinforce the government's commitment to support the United Nations Declaration on Rights of Indigenous People (UNDRIP).

This document's focus is Indigenous Traditional Knowledge, not consultation, accommodation or Indigenous rights. It does not purport to fulfill or replace the obligations of the Crown or

other parties to Indigenous communities. Nor does it purport to affect protocols created by Indigenous communities for engaging government, industry, or others, or for gathering, documenting, managing or sharing Indigenous Traditional Knowledge. Implementation of the ITK Framework may be useful in developing, but does not provide, a traditional land use management plan.

The success or failure of industry, government, and regulatory bodies, acting within their scope, to meaningfully and successfully include Indigenous Traditional Knowledge in environmental decisions will hinge on whether they adopt, monitor and enforce rules and policies requiring that inclusion.

The Indigenous Traditional Knowledge Framework is phase 1. This report therefore requires the creation of the ITK Framework Practitioners Guide, to guarantee success. The Practitioners Guide will suggest best approaches and practical tools to implement the principles of the ITK Framework. The Practitioners Guide will set measures and criteria for evaluating the successful inclusion of Indigenous Traditional Knowledge in decision making

Guiding Principles

- 1.1 Indigenous Traditional Knowledge (ITK) is a body of knowledge, a world view and way of knowing that can provide a deeper insight into the way that the natural environment works and has changed.
- 1.2 Indigenous Traditional Knowledge is of immeasurable importance to Indigenous communities and represents unique identities, understandings and ways of life.
- 1.3 The Indigenous communities of North East Alberta hold unique Indigenous Traditional Knowledge. This knowledge is important and can be valuable when considered alongside western or conventional science in environmental management and decision-making.
- 1.4 Indigenous Traditional Knowledge is a concept that needs to be understood and recognized by all people working with ITK, and making decisions using ITK.
- 1.5 Consistent with the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP), Indigenous Traditional Knowledge belongs to each Indigenous community. While differing significantly from conventional intellectual property, Indigenous Traditional Knowledge is under the authority and control of each Indigenous community, and each community makes decisions on who can use it and what they can use it for.
- 1.6 The people and processes involving in gathering, analyzing, managing and providing ITK to users will be entirely up to the Community. The protocols and processes in place for access to that knowledge will be established by each Community and presented in such a way as to be understood, respected and applied by anyone.
- 1.7 Government, Industry, ENGO and Indigenous groups will continue to work together and create partnerships to work collaboratively to ensure that Indigenous Traditional Knowledge is utilized and considered respectfully throughout environmental decision-making.
- 1.8 ITK-related discussions will be conducted – by all parties – in a manner that is constructive and builds an atmosphere of mutual respect.

Considerations

Effective implementation of these principles will require a commitment from government and industry to create the space, capacity and time to implement them. A key consideration here will be the financial resources that are needed to support the participation of ITK holders and staff. A stable, accessible and comprehensive funding model should be developed collaboratively with communities. Collectively the communities will manage their own TEK process but the resources will come through CEMA.

The pace of decision-making needs to be such that Indigenous Traditional Knowledge can be effectively used alongside other types of knowledge, in all phases of decision-making, in order to make carefully considered and informed decisions regarding environmental stewardship. This needs to be the case under any management system in place at any given time.

Alberta's most recent management system initiative, the Integrated Resource Management System (IRMS), aims to integrate and align monitoring, planning, and policy and regulatory systems, and to build strong relationships with partners and stakeholders.¹ These areas are reflected in the main sections of this Indigenous Traditional Knowledge Framework. Thus government should be able to effectively integrate the inclusion of Indigenous Traditional Knowledge into the IRMS process. At the same time, Indigenous communities can work to define reasonable timelines and funding requirements so that Indigenous Traditional Knowledge can effectively be used within the IRMS, or other systems in place from time to time.

¹ See Government of Alberta, "Integrated Resource Management System"
www.oilsands.alberta.ca/FactSheets/Integrated_Resource_Management.pdf.

Implementation Recommendations

Recommendations for implementing the principles are provided below. Most of these recommendations are divided into three main substantive sections – regional land use planning, EA and regulatory processes, and monitoring. These three sections are preceded by a section titled General Actions / Best Practices, which carries recommendations applicable to all three of the substantive sections. For each of these three sections, recommendations are provided for the short term (items that can be implemented immediately or relatively soon) and the long term (items that will require further collaboration and work).

In addition to the recommendations, measures (*in italics*) are provided as a tool for helping to objectively assess whether ITK has been meaningfully included in decision-making.

General Actions / Best Practices

Short Term

1. Government will adopt the Principles noted above, and implement them for government decision-makers, including setting standards and requirements for other decision-makers.

Measures:

- a. *Government has reported annually on its adoption and implementation of the Principles.*

2. Relevant industry and government decision-makers will provide adequate capacity funding and schedule decision-making processes at a pace that allows reasonable opportunity for Indigenous Communities to: fully understand the subject of the decision(s); gather, process and provide ITK for consideration by decision-makers; and meaningfully contribute and participate in those processes as appropriate.

Measures:

- a. *Indigenous communities and decision-makers have agreed on the appropriate pace and schedule of a given decision-making process, and decision-makers have carried out the process accordingly.*
- b. *Indigenous communities and decision-makers agree on their financial needs for Indigenous communities to provide ITK, to meaningfully participate in decision-making processes, and to undertake other activities described in this document throughout all relevant stages of the process, and firm and reliable funding has been provided.*

3. Decision-makers will respect community-specific ITK and engagement protocols in regards to the use of ITK and involvement of ITK holders.

Measures:

- a. *All Indigenous communities in North East Alberta have been provided with funding necessary to develop community-specific ITK and engagement protocols.*
 - b. *Government and Industry engage with Indigenous communities in compliance with the protocols.*
4. ITK used by industry and government will be authorized and verified, and interpretation will be reviewed and validated, by the originating Indigenous Community before it is used to support decision-making. This links to Aboriginal Consultation Office (ACO), the consultation policy would have to be amended to reflect these statements.

Measures:

- a. *ITK holders and Indigenous community representatives have authorized and verified all ITK, and reviewed and validated all interpretations, prior to final decision-making.*
5. ITK holders and Indigenous communities will be provided with detailed feedback, on a community-by-community basis, and how the ITK they provided was used throughout the decision-making process, and the outcomes of using that ITK.

Measures:

- a. *The use of ITK and its outcomes in a given decision-making process are presented to Indigenous communities in accessible written and oral formats, including translation if needed.*
6. Decision-makers will use ITK when conducting cumulative effects assessments, including when establishing a pre-industrial baseline as an initial point from which to measure change over time and associated impacts as part of cumulative effects assessment.

Measures:

- a. *Indigenous communities are provided support needed to conduct territory-wide or traditional use area-wide, knowledge and use studies to contribute to assessments.*
 - b. *Relevant ITK is evaluated alongside conventional scientific information in developing a pre-industrial baseline agreeable to all affected parties.*
7. Decision-makers will use all available ITK that is relevant to the decision in question. Relevance will be determined through analysis of ITK and with meaningful inclusion of Indigenous community representatives. The determination will be based on the traditional territories of relevant Indigenous communities rather than regional, territorial or provincial political boundaries.

Measures:

- a. *Indigenous community representatives have been asked whether their community has ITK relevant to a given decision.*
- b. *Where ITK has been provided, the decision-maker has included the representative in determining whether the ITK was relevant, and has reported to the community on that determination.*

Long Term

8. All environmental decision-makers who work with ITK and TK holders, including members of advisory and decision-making panels and boards, will obtain a basic level of training in cultural awareness. Those who regularly work with ITK and ITK holders will obtain an advanced level of training and certification, and demonstrate adequate knowledge and skills for understanding and meaningfully considering and including ITK. The training and certification will be done through programs developed with and monitored by ITK holders and Indigenous communities. CEMA TEK sharing agreement clearly states the intended use of TEK shared with CEMA. Use outside of the CEMA use requires consent.

Measures:

- a. *All Indigenous communities in North Eastern Alberta have been provided the opportunity to co-develop curriculum for the training and certification program.*
 - b. *The training and certification program is implemented and is satisfactory to all involved parties.*
 - c. *All government and industry employees and contractors working with ITK and ITK holders in North Eastern Alberta have successfully completed the training to the appropriate level.*
9. The Government of Alberta will establish and secure stable, long- term funding for a Regional TK Implementation Office² or other trusted, culturally appropriate and independent authority responsible for support and follow-up to Indigenous communities, and other tasks discussed in this Framework. This function can be done under the umbrella of CEMA.

Measures:

- a. *A Regional ITK Implementation Office or other such authority is established with stable, long-term funding.*

² This is a placeholder name. The actual body could be named something else, or could be attached to an existing entity.

- b. Indigenous communities and ITK holders receive responses from the Implementation Office within one month of raising concerns and observations, or sooner if concerns represent an emergency or critical situation.*

10. Governments, regulatory bodies and industry will include ITK in their reviews and audits of their existing frameworks, policies, procedures and guidelines. The reviews and audits will be conducted with support and guidance from the Regional ITK Implementation Office in order to ensure that such documents comply with this ITK Framework, and to identify any additional opportunities to more meaningfully include ITK and ITK holders in environmental decision-making.

Measures:

- a. Reviews and audits of all relevant frameworks, policies, procedures and guidelines have been completed, with participation of the Regional ITK Implementation Office.*
- b. Needed amendments to relevant frameworks, policies, procedures and guidelines have been completed, and government and regulatory documents have been publicly released.*
- c. Indigenous community input on the reviews and audits and amendments has been considered, and results of that consideration have been communicated to Indigenous communities*

Land Use Planning and Implementation

Short Term

1. ITK will be employed to assist in all stages of regional land use planning processes, and in determining typical key elements of land use plans, including:
 - a. priority areas where, and thresholds beyond which, industrial activity is restricted in order to address cumulative effects and protect ITK.
 - b. areas where, and conditions under which, industrial and other economic activities may be allowed.
 - c. potential disposition of development rights, or limits on disposition of those rights, by the Crown, including leases or privatization of lands or waters.

Measures:

- a. Government has provided documentation of how ITK was employed in various stages of planning, and in determining key elements of plans.*
- b. The government has provided opportunity for Indigenous ITK to be included through workshops and committee participations*

2. Indigenous community representatives and ITK holders will be welcomed as decision makers in regional planning bodies.

Measures:

- a. Indigenous communities will have formally participated in regional land use planning bodies as members of working groups and sub committees with capacity funding provided to cover costs of participation.*
- b. Materials pertaining to planning processes are developed, written and communicated in a way that is accessible to all participants.*

Long Term

3. The Government of Alberta will review and update existing land use plans and subordinate planning documents based on meaningful inclusion of ITK. Meaningful inclusion of ITK will be a standard for all future planning, and for management frameworks and other land use plan implementation mechanisms.

Measures:

- a. A land use planning ITK implementation group has been established to guide inclusion of ITK into plans and planning policy frameworks.*
- b. Community ITK and understanding of cumulative effects are included in the development of thresholds and measures.*
- c. Regional and subordinate plans, management frameworks, and other land use plan implementation mechanisms have been reviewed.*
- d. Indigenous communities and their ITK holders have been involved in the reviews, and are satisfied that ITK has been meaningfully included in the reviews.*

Regulatory (Project Based)

Short Term

1. ITK will be included in project planning and development from the beginning, through all stages of environmental assessment and regulatory processes, including where applicable exploration, project alternatives, project siting and design, scoping of issues, baseline data collection and analysis, impact identification, development of appropriate mitigation, determination of significance and significance thresholds, and implementation/application of mitigation and monitoring measures.
 - a. Where possible, completion of Indigenous Traditional Knowledge and Traditional Use Studies acceptable to Indigenous communities will be completed prior to the acceptance of an EA application.*
 - b. Confirmation that Indigenous communities are satisfied that they have been*

meaningfully involved will be obtained prior to following through to the next stage of the EA/Regulatory process including oil sand exploration activity.

Measures:

- a. Project goals were clear from the beginning.*
- b. Indigenous communities and ITK holders have been invited to provide input and/or participate at all stages of the EA and regulatory process including exploration stage, including agreement on what materials could support planning discussions.*
- c. Adequate time was provided for Indigenous communities to conduct and provide ITK and TU studies prior to any exploration activity being completed and the EA being submitted, and it is easy to see where and how ITK was used in the Project description.*
- d. Proponents proposing new projects or requesting new licences or approvals for old projects have demonstrated how they have effectively used Indigenous Traditional Knowledge and community experience to minimize the impacts of their project.*
- e. At each stage of the EA / Regulatory process and exploration stage, Indigenous communities have been asked whether they are satisfied with their level of involvement, and have responded affirmatively, prior to the next stage being commenced.*

2. Government decision-makers will allow for meaningful inclusion and respectful engagement of ITK holders actively in the application review process and regulatory hearings, over and above presenting evidence and providing testimony.
 - a. For multi-member panels and in management or co-operative management boards, affected Indigenous communities will have the opportunity to appoint at least one ITK holder or representative who is either chosen by affected Indigenous communities or from a roster supplied by them.
 - b. Indigenous community ITK holders or representatives will be meaningfully included in the selection process for review panels.
 - c. Hearing processes will be structured to allow for flexible, comfortable, and culturally appropriate settings for ITK holders to participate and will be designed through the meaningful inclusion of ITK holders.

Measures:

- a. Indigenous communities have been given the opportunity, and at mutually agreed time by each community or as defined by the Practitioners Guide, to:*
 - i. supply a member or a roster of candidates for membership in relevant decision-making bodies*
 - ii. participate in the selection of all members, including setting of selection criteria, long-listing, short-listing and final selection.*
- b. Indigenous communities have been provided:*
 - i. plain language summaries that are easy to read and understand, of all reports that included ITK;*

Measures:

- a. *Guidance has been provided to proponents:*
 - i. *Articulating the expectation that ITK data will be collected and analysed prior to the submission of EA/regulatory applications*
 - ii. *That concordance tables or other mechanisms for identifying locations of ITK have been included in the application.*
 - b. *The Terms of Reference for EAs:*
 - i. *include adequate requirements for integration and justification of ITK evidence*
 - ii. *identify specific Valued Components and indicators where ITK data collection is of particular importance.*
 - c. *The scope of assessment includes:*
 - i. *all potentially affected Indigenous groups*
 - ii. *appropriate back-casting to measure change over time to date.*
6. Decision-makers will meaningfully include ITK holders and Indigenous community representatives in identifying Indigenous communities that are affected and in defining, directly or indirectly, practices or areas beyond project boundaries.

Measures:

- a. *The decision maker has:*
 - i. *invited all Indigenous communities that could potentially be affected by the project to contribute ITK holders and representatives to the relevant decision-making processes*
 - ii. *provided all such communities with a provisional decision, including documentation of how the decision maker has taken into account the input and responses from Indigenous communities, and invited their responses.*
- b. *Terms of Reference for the EA included adequate requirements for integration and justification of ITK evidence.*

Monitoring

Short Term

1. Proponents will be required to meaningfully include ITK, and invite participation of ITK holders and representatives put forward by Indigenous communities, in environmental monitoring of Project exploration, construction, operations, closure and reclamation activities. Monitoring will include Indigenous community-based monitoring and communication initiatives for the duration of such activities.

Measures:

- a. *ITK has been used in, and Indigenous communities and ITK holders have participated in:*

- i. Planning and early development of programs that employ ITK for monitoring development, and programs that monitor for development impacts on ITK values*
 - ii. establishment of clear monitoring objectives, methods and standards, as well as thresholds, actions, and appropriate response times*
 - iii. monitoring at all project stages from exploration through to closure and reclamation.*
 - b. Government has regularly checked in with the Indigenous community representatives to verify that monitoring programs were working for their community.*
 - c. Government and industry have encouraged ITK holders to spend time on the land.*
2. Government decision-makers will meaningfully include ITK, and Indigenous communities and ITK holders, in assessing the extent to which reclamation has been successful. End land use goals and indicators and thresholds established prior to reclamation will be utilized at the beginning. Reclaimed areas will be consistent with pre-project conditions and end land use goals to receive a reclamation certificate.
 - a. Government decision-makers will ensure that reclamation planning, evaluation and certification is transparent and meaningfully includes ITK holders and Indigenous communities.
 - b. ITK-based indicators, including confidence in lands and waters, will be used alongside other indicators in order to monitor and evaluate progress towards successful reclamation and fulfillment of reclamation conditions.
 - c. ITK holders will be meaningfully included in reclamation research projects developed to better inform project-specific and non-project specific future reclamation initiatives, planning, and evaluation.

Measures

- a. End land-use goals for a Project's reclamation, agreed to with Indigenous communities, were not changed or were only altered after reaching a new agreement and understanding with all parties.*
- b. Proponents included ITK holders in internal assessments of reclamation projects prior to applying for certification.*
- c. Government notified all Indigenous communities about reclamation certification applications associated with projects affecting them.*
- d. Government invited Indigenous communities and ITK holders to join decision-making teams for assessing reclamation certification applications.*
 - i. Multiple forms of communication, as directed by communities, were used.*
 - ii. Copies of reports and applications were shared.*
- e. Where ITK holders identified issues and concerns, those issues and concerns were addressed to the satisfaction of Indigenous communities, or the communities were provided detailed reasons why they were not so addressed.*
- f. Industry, government, and NGOs sought input on existing and proposed new reclamation research projects with ITK holders and Indigenous communities.*

Long Term

3. Government will develop an Indigenous Traditional Knowledge based thresholds in decision making that uses measures established by each community to understand the impact that industrial development is having on the landscape.

Measures

- a. *ITK holders and Indigenous communities have participated in the development of the strategy, and have been provided copies of the strategy when completed.*
4. Government decision-makers will:
 - a. establish, communicate and fund a transparent, accessible, and culturally informed incident/issue reporting service designed to:
 - i. record concerns of ITK holders and Indigenous communities in relation to unexpected problems that may be related to industrial change
 - ii. independently inquire into those concerns, respond within the timeframe identified by the Practitioners Guide, and maintain a public record of all concerns received, responses provided, and resulting actions taken by industry, government, or other responders.
 - b. provide ITK holders and Indigenous community representatives with the opportunity to understand, observe and inform environmental governmental monitoring, auditing, and inspection processes.

Measures:

- a. *The reporting service is operational, with long-term stable funding, and Indigenous communities have been provided with clear information on how to use it and its response time guarantees.*
 - b. *Indigenous communities and their ITK holders have been:*
 - i. *provided plain-language written and oral briefings of environmental governmental monitoring, auditing, and inspection processes*
 - ii. *invited to provide input into the design and standards of those processes, and to observe those processes in action*
 - iii. *given the opportunity for ITK holders or community representatives to train and be employed as auditors.*
 - c. *Indigenous community representatives and ITK holders are able to easily identify and contact the company responsible for any unusual event or failure or operating on any lease, and report issues using a method that is user-friendly for them.*
 - d. *Indigenous communities and ITK holders have been involved in creating and evaluating risk assessment and compensation matrices or similar systems, and it is clearly communicated how all such systems are used in decision-making.*
5. ITK holders and Indigenous community representatives will be meaningfully included by Government, including regional monitoring agencies, in:
 - a. the development, implementation and ongoing improvement of regional ambient monitoring initiatives and programs, including cumulative effects

monitoring, the establishment of management thresholds, monitoring policy development, implementation of monitoring programs, and adaptive management.

- b. monitoring the cumulative impacts of environmental, social and cultural change, including impacts to ITK, knowledge transmission and intangible cultural heritage occurring in the region.

Measures:

- a. *Monitoring agencies provide capacity and funding for Indigenous communities and ITK holders to participate in reviewing existing regional monitoring initiatives and programs, and in developing and implementing new regional monitoring initiatives and programs.*
 - b. *Monitoring agencies have reported on how ITK, ITK holders and Indigenous communities have been included in reviews and development of initiatives and programs, and in monitoring cumulative impacts.*
6. Government decision-makers and regulatory bodies will mandate that proponents meaningfully include ITK, and invite ITK holders and Indigenous communities to participate, in reclamation planning, from initial project planning through to closure, including determination of:
- a. end land use goals for reclamation, including standards for re-establishment of:
 - i. ecosystems that will be culturally acceptable and functionally equivalent to pre-project conditions, and
 - ii. sustainable landscapes where Indigenous preferred livelihoods can be practiced
 - b. reclamation techniques that are reliable and proven in achieving the end land use goals within two generations.

Measures

- a. *ITK holders and Indigenous community representatives have participated in reclamation planning for projects from initial planning through to closure, including:*
 - i. *Development of reclamation goals*
 - ii. *value-specific planning, targeting re-establishment of preferred resources and values to the satisfaction of the ITK holder and the Indigenous community*
 - iii. *development and agreement on*
 - a) *appropriate maximum threshold durations of disturbance prior to return to a reclaimed condition*
 - b) *appropriate indicators and thresholds of acceptable change for every community*
- b. *Impacts to ITK were assessed and monitored throughout the life of the project.*
- c. *Industry supplied all relevant information to aid ITK holders in planning for reclamation as deemed necessary by Indigenous community representatives.*
- d. *Industry representatives spent time on the land with ITK holders through all stages of reclamation planning.*

Responsibilities

Indigenous Communities

- Determine what constitutes ITK in relation to their territory, and what ITK to make accessible and what ITK should remain confidential to the community.
- Develop Community-specific ITK protocols that includes:
 - how the Community wishes to share its Indigenous Traditional Knowledge
 - reasonable timelines and funding requirements so that Indigenous Traditional Knowledge can effectively be provided and used in decision-making processes.
- Systematically gather, analyze, document, maintain and manage ITK so that it can be effectively used to provide information to Government and Industry decision-makers.
- Establish structures and means for effectively disseminating information to, and communicating with, their own ITK holders and community members, and clearly identify the Community's point of contact for Industry and Government.

Government

- Adopt the principles of the Indigenous Traditional Knowledge Framework and meaningfully engage with communities to begin implementing those principles within the IRMS and other management systems and decision-making processes.
- Support the creation of a “Best Practices” guide where clear direction is provided to proponents wishing to develop in Indigenous communities' traditional territories. Such a guide should be developed in collaboration with Indigenous communities and respected academic, ENGO and Industry partners.
- Work with Indigenous groups to identify available training opportunities or organizations and make government of Alberta staff training part of standard department practice.
- Develop funding support levels and internal timelines with Communities to ensure that analysis of land use planning and regional (non-project specific) monitoring meaningfully includes Indigenous Traditional Knowledge.

Industry and Non-Governmental Organizations

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- Contribute to the creation of a “Best Practices” document to ensure all industrial partners are effectively using Indigenous Traditional Knowledge to make better planning and development decisions.
- Develop funding support levels and internal timelines with Communities to ensure that analysis of development options, project planning, monitoring, closure and reclamation meaningfully include Indigenous Traditional Knowledge.
- Work with Indigenous Communities and government to ensure that the interests of all people and environmental health are taken into account in decision-making.

Appendix I – Additional Issues / Considerations

The principles, recommendations and measures provided in this document are not the final word on the meaningful and successful inclusion of Indigenous Traditional Knowledge in environmental decision-making. Practices are still evolving and there is room for ongoing, continuous improvement.

A range of materials, including drafts and the Policy Options Discussion Paper, have been prepared and collected during the course of the ITK Framework project. These materials provide additional ideas and alternative formulations of the principles, recommendations and measures contained in this document. At the suggestion of representatives of Indigenous Communities and other CEMA caucuses, these materials have been retained on the project's website, www.tkframework.ca, as resources for potential future improvements to the ITK Framework.

Appendix II – Meaning and Definitions

The terms used in this Framework are meant to, and should be interpreted in order to, give full effect to the overall aim of the Framework – the meaningful and successful inclusion of Indigenous Traditional Knowledge in environmental decision-making. This document also should be read using common sense; for example, where dealing with a relatively small-scale regulatory process, the provisions of this document that are only relevant to a full EA are not applicable. For another example, this document does not amend legislation delegating decision-making authority.

For the reader’s assistance, some of the terms used are defined below.

Indigenous Communities - refers to both First Nations and Métis organizations, including urban organizations, representing a specific group of Indigenous people in North East Alberta.

Indigenous People - refers to both First Nations and Métis people, including urban residents, and specifically in North East Alberta.

Indigenous community representative – refers to a person or organization designated by an Indigenous Community to represent that community in interactions with industry and government.

Indigenous Traditional Knowledge (ITK, also termed as Traditional Knowledge, Aboriginal Traditional Knowledge, TK, ATK) - There are many definitions of Indigenous Traditional Knowledge. For the purposes of the ITK Framework, and consistent with existing definitions under federal legislation,⁴ Traditional Knowledge is a body of knowledge built up by a group of people through generations of living in close contact with their environment. Indigenous Traditional Knowledge is held and owned both by First Nation and Métis people and Indigenous Communities. It includes distinct knowledge and perspectives, as well as ways of thinking, acting, living, and relating to lands, waters, and the environment. It is living, cumulative and dynamic and may include unique perspectives regarding other kinds of knowledge. It builds upon the historic experiences of a people. It adapts to social, economic, environmental, spiritual and political change and can help anticipate possible future conditions. While those involved in environmental decision making may be most interested in Indigenous Traditional Knowledge about the environment (or, traditional ecological knowledge), Indigenous Traditional Knowledge must be understood to form a part of a larger integrated and holistic body of knowledge that encompasses knowledge about cultural, environmental, economic, political, social and spiritual inter-relationships. The Indigenous

⁴ See also online: Considering Aboriginal traditional knowledge in environmental assessments conducted under the Canadian Environmental Assessment Act 2012. Last modified November 27, 2013. <http://www.ceaa-acee.gc.ca/default.asp?Lang=en&n=C3C7E0D3-1&offset=&toc=hide>.

Traditional Knowledge of each Indigenous person and Indigenous Community is unique as a result of unique experience, unique teachings, unique histories, and unique relationships to particular environments.

Affected Indigenous Community - any First Nation or Métis community with a ITK practice or area that may be influenced by a direct or indirect project effect will be considered an affected community.

Environment and environmental - follows the federal definition outlined for the EA process⁵ and refers to “the components of the earth including: land, water and air (all layers of the atmosphere), all organic and inorganic matter and living organisms, the interacting natural systems that encompass these components; and, with respect to Indigenous peoples an effect occurring in Canada of any change that may be caused to the environment on

- health and socio-economic conditions;
- physical and cultural heritage;
- the current use of lands and resources for traditional purposes, or;
- any structure, site or thing that is of historical, archaeological, paleontological or architectural significance.”

Intangible Cultural Heritage – means the practices, representations, expressions, knowledge, skills – as well as the instruments, objects, artefacts and cultural spaces associated therewith – that communities, groups and, in some cases, individuals recognize as part of their cultural heritage. This intangible cultural heritage, transmitted from generation to generation, is constantly recreated by communities and groups in response to their environment, their interaction with nature and their history, and provides them with a sense of identity and continuity, thus promoting respect for cultural diversity and human creativity.⁶

Involvement and Meaningful inclusion - refer to opportunities for active inclusion of ITK or ITK Holders in decision-making processes where ITK is taken seriously, alongside conventional science or other considerations, and acts as an additional and valuable filter and input that genuinely informs decisions.

Mitigation - any plan, policy or program designed and implemented to avoid, reduce, manage within tolerable limits, or accommodate/compensate for, an adverse effect on a value.

ITK Holders – Refers to a person or organization that holds Indigenous Traditional Knowledge and is recognized or authorized by an Indigenous community to represent the Indigenous Traditional Knowledge of that community for a particular purpose. ITK holders can be of any age or gender and may be, but are not limited to being: Elders and family

⁵ Canadian Environmental Assessment Act (CEAA) 2012. Last modified December 2014.
<http://laws-lois.justice.gc.ca/eng/acts/c-15.21/FullText.html>.

⁶ UNESCO, "What is Intangible Cultural Heritage?"
www.unesco.org/culture/ich/index.php?lg=en&pg=00002.

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representatives, hunters, trappers, fishers, berry- pickers and other gatherers, medicine gatherers, river and trail users, educators, researchers, staff and leaders.