



ECS Lunch and Learn

Supporting internal knowledge transfer within TRCA

November 17, 2020

Working with Indigenous Communities

Lunch and Learn

November 17, 2020

Outline

- Understanding Indigenous Rights
- Best practices for Indigenous engagement
- Traditional Ecological Knowledge
- Indigenous groups within TRCA's jurisdiction
- TRCA's Engagement Strategy / Guidelines

Understanding Indigenous Rights

- Section 35 of the Constitution Act recognizes and affirms Aboriginal and treaty rights.
 - Aboriginal peoples of Canada include First Nations, Inuit and Métis
- Aboriginal rights are not defined in the Constitution, but have been interpreted through the Courts to include:
 - Cultural, social, political and economic rights
 - Right to land, as well as to fish, hunt, and establish treaties (or land claims)
- Treaties define specific rights, benefits and obligations of the signatories.
 - There are historic Treaties, pre-1975 (e.g. Toronto Purchase, Treaty 13 of 1805)
 - Modern Treaties, post-1975 (e.g. Nunavut Land Claims Agreement, 1993)



Understanding Indigenous Rights Continued

- Duty to Consult, refers to the legal obligation of the Crown (i.e. federal or provincial/territorial government) to consult with Aboriginal peoples where:
 - Decisions or actions may adversely impact asserted or established Aboriginal or treaty rights.
- Duty to Consult can also apply to municipal governments and Conservation Authorities, which have powers devolved from the provincial government
- Free, Prior and Informed Consent – specific right recognized in the UN Declaration on the Rights of Indigenous Peoples (UNDRIP)
 - Free – consent given voluntarily without coercion, intimidation or manipulation
 - Prior – consent is sought sufficiently in advance of any authorization or commencement of activities
 - Informed – all the necessary information is provided in a clear, consistent and accessible manner

Best Practices for Indigenous Engagement

- Consultation vs engagement:
 - Consultation is a more formal, legally required process that has both information and response components. Consultation requirements, when a decision or action may adversely impact rights, can include:
 - Nature and scope of the established or asserted Aboriginal or treaty right
 - Strength of the claim to an asserted Aboriginal or treaty right
 - Potential impact of the proposed Crown conduct on the established or asserted right
 - Engagement is less formal and about good governance and building relationships.



Best Practices for Indigenous Engagement

Cont'd

- To carry out effective Indigenous engagement:
 - Identify the correct groups
 - Determine engagement objectives early
 - Be patient and persistent
 - Identify opportunities internally to coordinate with other divisions to be more efficient
 - Allow the Indigenous group an opportunity to share information about their history or perspective
 - Don't be nervous to ask questions

Best Practices for Indigenous Engagement Cont'd

- At meetings or events:
 - Include an elder for a welcome ceremony (honorariums are customary)
 - Less time on formal presentations, more time for roundtable discussions
 - Document questions, answers and comments, sharing it with the Indigenous organization staff to confirm accuracy



Artwork from the mural “Kiinwi Dabaadjmowin” (Our Story) by Phillip Cote, Tracey Anthony, Rebecca Baird, Carolyn Cote and LSK Students Jocelyn Styres, Rachele King and Eric LaForme. The mural is located in the library of the Lloyd S. King Elementary School, Mississaugas of the Credit First Nation.

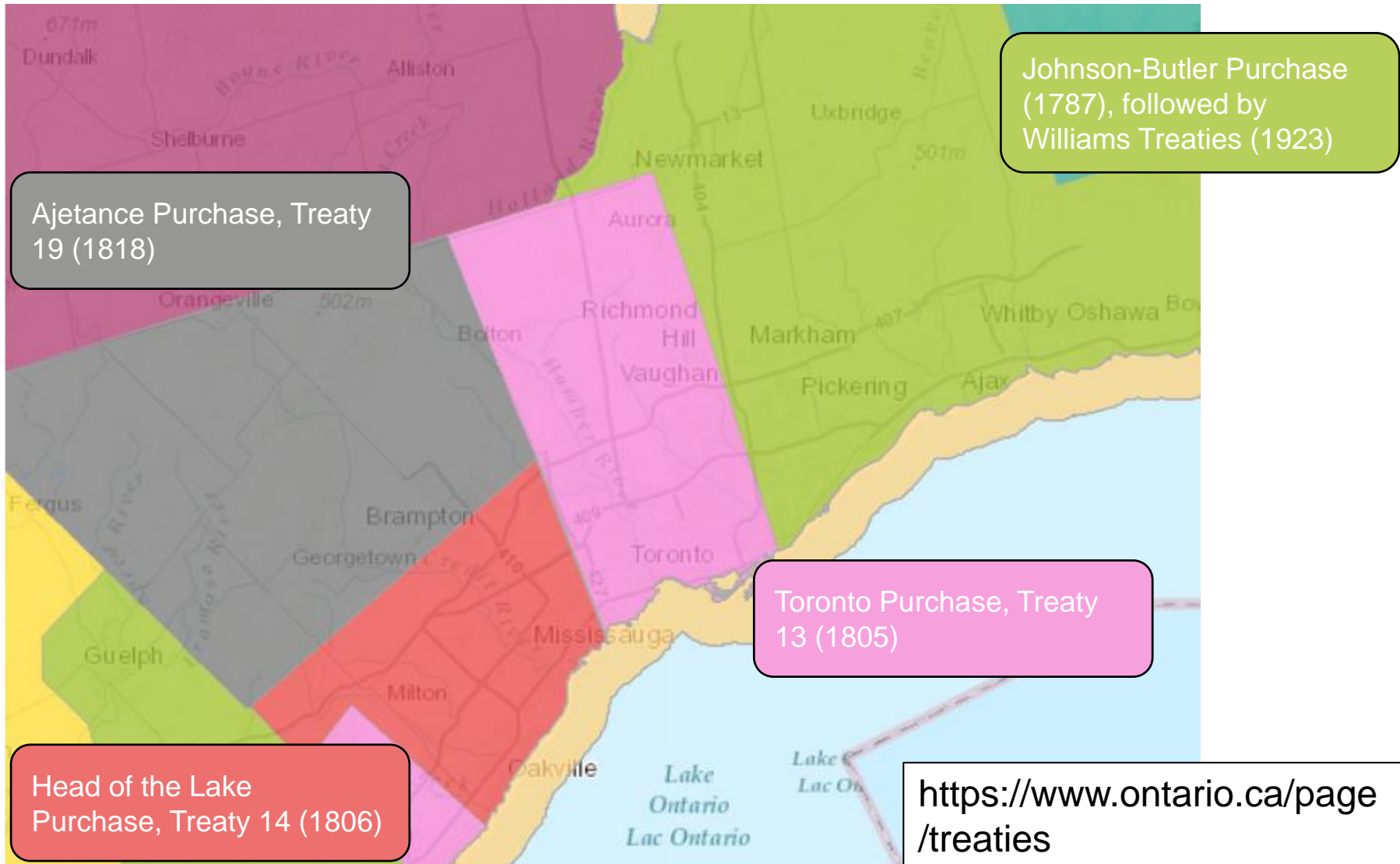
Traditional Ecological Knowledge

- TEK refers to the knowledge base acquired by Indigenous peoples over thousands of years through direct contact with the environment. Includes:
 - Detailed knowledge of plants, animals and natural phenomena
 - Development and use of appropriate technologies for hunting, fishing, trapping, agriculture and forestry
 - A holistic world view, which parallels the scientific discipline of ecology.
- Often passed down through stories
- Belongs to the Indigenous group.

Traditional Ecological Knowledge Continued

- TEK has been used for:
 - Resource management, especially wildlife management (e.g. wildlife co-management plans common in the Territories)
 - Protected areas and conservation planning (e.g. Thaidene Nene National Park Reserve, Saugeen Bruce Peninsula Natural Area)
 - Environmental Assessments and development planning (e.g. culturally and ecologically significant areas to avoid)

Indigenous Groups within TRCA's Jurisdiction



Indigenous Groups within TRCA's Jurisdiction

Continued

- In addition to the Treaty holding First Nations, engagement with Indigenous groups in TRCA's jurisdiction should include:
 - Huron-Wendat Nation
 - Six Nations of the Grand River
 - Métis Nation of Ontario
- Each of these groups have traditional territories within TRCA's jurisdiction; thus Aboriginal rights.

TRCA's Indigenous Engagement Approach

- TRCA Community Engagement Strategy – 2017 – 2027
- Engagement Guidelines for Indigenous Communities (2015)

Questions?

Upcoming Lunch and Learns

Tuesday, December 8
11:00am-12:00pm

Green Infrastructure Asset Management

By Michelle Sawka and
Tracy Timmins

Wednesday, December 16
11:30am-12:30pm

Terrestrial Environmental Monitoring and Evaluation

By Paul Prior and
Gavin Miller

**More sessions planned
for 2021!**

Past Recordings

Watersheds and Ecosystems Reporting

Draft Web Application

Laura Del Giudice, Senior Manager, Watershed Planning & Reporting
Kristina Dokoska, Project Coordinator, Ontario Climate Consortium



September 21, 2020

Introduction to the LID Treatment Train Tool

Presented by – Steve Auger, Sahila Abbasi and Yuestas David

November 5, 2020

STEP Water is a partnership between:



TRCA's Recent Floodplain Mapping Updates

Wilfred Ho*, Christina Bright*, Mike Todd**

* Flood Risk Management, Development & Engineering Services
** Information Technology & Records Management



November 10, 2020

Thank you

For questions about the ECS Lunch and Learn Series, please contact:

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