SOCIO-ECONOMIC EFFECTS ASSESSMENT IN THE YUKON

Workshop

VERBATIM RECORD

February 2, 2005
West mark Ballroom
201 Wood Street
Whitehorse, Yukon

Present: SEE APPENDIX "A"

The workshop reconvened February 2, 2005, at 9:10 a.m.

11.0 Welcome and Introduction to the Day's Theme - Lyn Hartley & Lindsay Staples

LINDSAY STAPLES: Good morning everybody and welcome to Day 2. Before we get into the meat of the day, Lyn Hartley has a couple of housekeeping matters.

LYN HARTLEY: Good morning. Happy Groundhog's Day!

This is going to be kind of like that movie. You're going to be in a new table all day today so welcome. Hopefully you found your new table with the exception of one individual I know for sure, and that is Alfred Chief at the back. Is Alfred still there? Oh, there's two people at the same table, so Alfred and a companion way in the back. The world is revolving around those two people there so anyone who has the same table again as yesterday. Oh, we've got a few. Interesting!

So, one thing, I would also remind you if you're at the back of the room, there are chairs up here. If you want to move up so you can see please do so. Just come up and bring a chair if you want. There are some chairs up here. So new table. Why don't you turn to somebody this morning, introduce yourself and say, "One thing I learned yesterday was…"

LINDSAY STAPLES: Twenty-twenty recall, I'm sure. Great, that was the icebreaker. What I'd like to do is now that you're well acquainted with everyone at your table and I know you've had a thorough discussion of the highlights from yesterday, if we could, just, I would just like to frame out for you what we're trying to accomplish today. What we're trying to do is essentially lay out a framework, a very broad framework, that may be helpful for you as we think more about just the business of how we do socio-economic effects assessment.

And so the framework that we've set is a very broad one and accordingly, it has allowed us to pursue a number of very different themes. We're going to be starting this morning by looking at sustainability as a consideration in environmental assessment and the kind of frameworks that actually sustainability might contribute to integrating socio-economic and environmental considerations in environmental assessment.

Then, as I think I said yesterday, we've got a talk focusing as well on significance determinations and environmental assessment; and this is one of the more complex areas of EA, and we've got a very capable speaker to speak to us in that area. It's a technical subject, but I think that many of you will get a lot out of it.

As well, this morning we're going to be looking at the relationship between social systems and environmental systems and Patt Larcombe, who did the overview yesterday on social impact assessment, has joined us from Winnipeg and she'll be exploring that topic, and I think that's one that many of you will find extremely interesting.

In the afternoon, we're going to be looking at more, I guess you could say, social values and perspectives; and in a place like the Yukon, or for that matter, any place where there are diversity of values and perspectives, from the standpoint of environmental assessment, how do you recognize and appreciate the diversity of cultural values, social perspectives, political differences that are out there, and how do you, if you will, bring those together or resolve them or accommodate them as one best can to inform determinations of effects and determinations of significance?

We live in a pluralistic society. In the Yukon, we've developed government-to-government relations between First Nations governments and institutions and state governments and institutions, and there are issues of power and power-sharing and relationships, all of which come into the conversations that people have about the kind of society that they want and the kind of Yukon that they want and the kind of development that they want. So, I think there's a lot to think about in that area, and that's something that we are going to turn our minds to this afternoon.

And as well, we often talk about community development and the place of community in impact assessment, and we're going to be talking I think a little more deeply about what do we mean by "community"? It's what's contained within the phraseology of "community" and how do we break that down perhaps into, you know, elements in terms of environmental assessment, particularly socio-economics effects assessment? We've got an understanding of community that's going to be meaningful and workable in terms of Yukon project assessments.

12.0 Sustainability Principles as a Framework for the Integration of Socio-economic and Environmental Factors in Project Assessments - Dr. Bob Gibson

LINDSAY STAPLES: So, that's the general theme for today and I'd like to just move right into, if I could, the first talk of the day; and Dr. Bob Gibson is going to be joining us for that talk. Bob has been thinking about sustainability a long time and probably I think it might be fair to say he's thought about it longer and harder than a lot of people in Canada, and largely particularly as it relates to the environmental process. Yesterday we talked a little bit about time frames when we were looking at various aspects of environmental assessment.

Patt Larcombe made the point in her presentation that when we're talking, for instance, about defining the present, it's important to remember the past; and so, for instance, if we're doing a project assessment in 2005, there may be arguments to go back to 1940 or 1900 or 1898, depending on the nature of the project and the issues that you're looking at. So, timing is important. Of course, sustainability is about the future as well and future generations and thinking beyond again the immediate present. So, there's a lot to think about again in the area of sustainability as it applies to environmental assessment.

One of the things that is unique about sustainable assessment or sustainability and environmental assessment, this is very unique to the north. I know Mary Tapsell, in light of the list of things she's going to be speaking to on Thursday, has another item to speak on and that's the -- I'm sure she's going to kick me by now -- but that's something that the Mackenzie Valley Board has had to wrestle with and that is: How do we build sustainability into the environmental assessment process? And it's something that the YESAA Board here has to work with, as well, because, of course, sustainable development principles, as Kirk pointed out yesterday, are built right into the legislation.

And just a final point, I think there's something unique in that, because, and I'm not sure if Bob is going to offer up these examples, but there are certainly cases in other jurisdictions in the south where at one point in time they did build sustainability into their environmental assessment legislation, and then, have spent a great deal of time trying to get it out. As Kirk pointed out yesterday, it's constitutionally entrenched in ours. So, it's not going anywhere. It's going to be there, and we'd better think long and hard about what we're going to do with it.

Bob Gibson as I said, is a speaker well suited to do that. He's a long-time editor of *Alternatives* Magazine. He's a professor of environmental and resource studies at the University of Waterloo, and with that please welcome Bob Gibson.

DR. BOB GIBSON: Good morning everybody. Yesterday was the easy part, and I'm supposed to just introduce the complicated part for the people who have actual knowledge who will come after me.

We had an introduction to environmental and social and economic effects assessment yesterday, and you probably noticed that as we began to talk about it and certainly around the tables that I was participating in, it was very easy to fill out the last portion of the exam question about what remains somewhat puzzling to you. All of these areas, even with the brief introduction, end up being quite complicated, involving some fairly significant challenges.

I come from the side of the University of Waterloo that does odd kinds of counting for people who go off and get really rich doing highly technological stuff with dot.com companies etc., add one and one and one and get three. On our side we add one and one and one and get 42, and that's essentially what you're faced with here. If you add social and environmental and economic effects assessment together, they don't add up to three. They add up to a world that's greatly more complicated. And so, what we face essentially is how to do that, how to deal with these complexities in ways that are manageable and coherent, because there are actually decisions that have to get made.

We have socio-economic considerations to be integrated into decision making under YESAA for a variety of reasons. Some of those reasons have to do with "Well, it's in the law, and it's constitutionally entrenched," but they are there because, in the negotiation of the *Umbrella Final Agreement*, as in other kinds of circumstances, there is recognition of some real issues, that there are long-term effects that haven't been very well considered; that communities in particular need durable benefits, as opposed to boom and bust effects, that in people's real lives, the social and ecological and economic factors are intertwined in ways that don't separate very easily.

The last one I think is perhaps more important. Due to the odd history of the development of these decision-making processes, environmental assessment has become the main public venue for debate about big projects, small ones and at least ones that are going to have significant implications for the future. And so, they have necessarily become the venue in which all things that people are worried about get debated, however they are defined. So, it's sensible that the Yukon should have legislation that explicitly defines these things as all part of the story, as all part of the agenda for evaluation in this public venue. So, we get to practice on this.

The good news is that this is not something that's being invented for the first time in the Yukon. Social and economic effects have been included in environmental assessment law, at least in some jurisdictions, from the very beginning. The first legislated assessment process was under the *National Environmental Policy Act* of the United States, which was passed in 1969. The first law in Canada was the *Ontario Environmental Assessment Act*, passed in 1975, and it included, as part of its definition of "environment", social, economic, cultural, biophysical and inter-

relations among those. So, there are decades of experience under assessment processes that do attempt to consider all these things as an integrated package.

The bad news is that they've done very badly at doing that work, and part of the reason for that is probably universities, which have tended to train people in separate faculties to do economic stuff and social stuff and biological stuff; and they're in separate buildings, and they have separate programs and they may meet each other in the bar on occasion, but that's not necessarily an ideal way to have logical integration of considerations.

So, normally what happens is we send out experts in these three various fields, and they do their studies and they come back; and the result is three separate piles of paper that get integrated using the stapler. You can understand why that might have deficiencies. There are places where the work is done better. The work was done better by Tom Berger. The work has been done better in northern communities where people generally recognize that the boundaries between the social and the biophysical and the economic are largely fictitious and impose that on the processes.

They've been done better in Third World applications in small villages in India, for example, where little bits of money are provided sometimes by Canadian taxpayers to help development projects that use what they call a "sustainable livelihoods approach," using a -- well, it's a complicated integrative process; but basically, it has people there deciding what their assets are and what their entitlements are and what they can do with what they've got with a little bit of assistance. And they, as ordinary real people in real circumstances, tend to think of the economic and the resource base and the nature of the skills in the community and so forth as part of an overall package that they think of together.

Finally, the record is reasonably good, surprisingly in very rich cities that have a high quality of life and face growth management pressures, Victoria etc. on Vancouver Island for example, where they spent seven years developing a growth management strategy that integrated all these things together; because they had a whole of people who had, I don't know, retired from the Yukon and didn't want to shovel anymore and had gone down to Victoria to garden until they die and wanting to keep that kind of lifestyle. So, the result is that we do have some experience with putting it together.

I'm talking about sustainability. Sustainability is a language that's commonly used for the last 15, 20 years maybe; but as I say, the kind of integrative activity that's been going on dates back, at least under environmental assessment, to the early '70's and in various kind of planning and development applications, for probably nearly that long, as well. So, whether we use the language or not is really not totally crucial.

It's increasingly required now, because governments like the idea of sustainable development once the Bruntland Commission announced it. They all said that they were in favour of it without having any idea of what it meant. Nobody really has any clear idea what sustainability means, in part because it depends on the local circumstance. And everybody debates what development means. So it sounded like something you could argue you were favour of without any implications for action. And so, virtually every government in the world has wrapped itself in that blanket.

We have increasingly seen the language in legislation now. So, federal legislation on environmental assessment says one of its major purposes is sustainable development. It's included under the UFA, for example, in Chapter 12. So, it's in a lot of places; and insofar as it means anything clearly to virtually everyone, it is that social and ecological factors are deeply intertwined. The Bruntland Commission, which introduced it as popular language, said basically as long as you have people who are desperately poor and have no options, there are going to be serious problems for the environment; and as long as you've got an environment that doesn't provide the basic wherewithal for living, you're going to have people who are desperately poor and thinking you could deal with one problem without dealing with the other is naïve. We have expanded that. We've been looking at this for many years now, and there is a lot of literature and there's a lot of practical experience. So, we can go further than that.

So, we now use sustainability basically as a comprehensive term for complicated consideration of these various factors, which as I say, we have been trying to deal with environmental assessment for decades -- and emphasizing that we want to look at this over the long haul.

And I guess the third element is that we do sustainability assessment, and we think about sustainability because we've got good reasons to think that the current path we are on is not sustainable. We wouldn't even be using the language if we thought what we are doing now is fine. And at a global level certainly there are all sorts of reasons for thinking that what we are now doing can't go on.

So, we look at applications, and the most relevant immediate application that probably has implications for Yukon application is in the environmental assessment that was done of the nickel mine that is now under construction at Voisey Bay on the north coast of Labrador. This was an assessment that was done under four jurisdictions: the Federal Government of Canada, the Government of Newfoundland and Labrador, the Innu Nation and the Labrador Inuit Association, representing aboriginal title; and they had a Memorandum of Understanding and did a joint assessment, and a panel was established with general Terms of Reference under existing law. The panel noticed essentially that the federal law and most others is essentially contradictory. It says that the purpose is sustainability, sustainable development is part of the core purpose of

the whole enterprise; and yet most of the law tends to talk about mitigation of adverse environmental effects, however broadly "environment" is defined. Now, mitigation is "make things less bad". Sustainability is "make things better", and that's not the same thing. The test is profoundly different. The Voisey Bay Panel basically said, "We'll go for the higher test," and the higher test is as written there. That's extracted directly from the guidelines that they gave to the proponent for the environmental assessment; and it says that: When evaluating the proposal, the panel will be looking at "The extent to which the undertaking may make a positive overall contribution towards the attainment of ecological and community sustainability, both at the local and regional levels."

So, the key bit here is "positive overall contribution". That's not mitigation of the most adverse negative effects. That's leaving the community and the ecosystems in better shape than you found them when you're done. That's a profoundly different way of looking at the challenge, and you might think, it's also a profoundly logical way if you're having something that you're calling "development" anywhere in the world, surely you want that to leave you in better shape than you were when you started. Otherwise, the name is clearly inappropriate.

Now, it involves a certain number of complexities, of course. We want to focus on things that are a little different than just mitigating negative effects. We want to focus on what are the gains. We want to have durable gains. We want to have a consideration that includes all the major factors. And so, when we're talking about "net gains", we're thinking, "Well there is going to be some damage. If you're taking a mine into a relatively pristine area on the coast of Labrador, you're not going to leave the ecosystem in better shape ecologically." You might do that in a place where you're doing restoration of an existing damaged site in some way. It's easy to do that kind of thing in Ontario, but it's hard to do in northern Labrador, and it's hard to do in the Yukon or at least in some places in the Yukon.

So, there are questions of trade-offs, and what this kind of approach means is that the kind of trade-offs that are made have to get addressed explicitly in the process. They have to be justified explicitly in the process, and that involves a certain degree of complexity; but of course, we've always had this. We've always considered all these factors in some way. We've always had trade-offs in these kinds of things. It's a question of where they get made.

If the assessment process is the main public venue in which these matters of public importance get debated, then it's fairly important that that get done explicitly and openly and with some kind of clear rationale. So, what we do is we try to have sustainability assessment as a vehicle in which these clear rationales can be provided and have some guidance for proponents from the outset about what they're trying to deliver, and that's going to vary.

So, there are a bunch of things that get involved in trying to do this; and one of them is you have to specify the test. What is an improvement? What are you after? Well, globally I can tell you what the main criterion are for evaluating the sustainability of something. I've read a good chunk of the literature, and I've taken a look at a variety of case experiences, et cetera, and at the global level, that's not all that difficult. It's probably not all the difficult for the Yukon, either if you're a Yukoner and you've been around and talked to your colleagues and your neighbours and figured out what kinds of things your priorities are.

I think Tony is going to be talking about Yukon 2000, which was an exercise that was essentially doing that some years ago. And of course, what you do for the Yukon is a different level for what you would do for Carmacks or Carcross or Haines Junction and vicinity. There will be more specific priorities and stresses and dreams and objectives in particular places, and they will differ from place to place.

So, specifying the test is one of the key elements, and you also want to figure out what that means for what kind of trade-offs might and might not be acceptable. You're going to have to figure out how that applies to various key decisions. What things are the priorities for assessment? Where do you want to put most of the resources? What are the main kinds of alternatives that should be examined when you are looking at one kind of project or another? How should this affect what is going to be required ordinarily of proponents when they submit a project proposal? All that requires a certain degree of guidance ahead of time.

So, we can look at some details here, and it sort of depends on when I run out of time I guess. Specifying the test requires, as I say, various levels of operation. I've got a set of general sustainability criteria that you could apply anywhere in the world; and they are, of course, brilliant and wonderful but vague. And so they wouldn't quite do for the purpose, and if you want to go beyond that for the Yukon, then you need to think clearly about what kinds of work you've already done to determine what your priorities are and what the main things you are worried about are and what kinds of things have to get fixed somehow. You've got a lot of areas that are remarkably undamaged, compared with say southern Ontario where I'm from; but there's a certain amount of residual damage from past activities, as well. So, there are a host of things that you'd like to fix. There are things that you'd like to work on and places where some kinds of existing stresses mean that you don't want to add to them in any way. And you know those things better than I do; and as I say, you can do things at a more local level.

So, that can be done in a variety of ways; and the more that you have of that material that clarifies the circumstance for the proponent before he or she begins to put together a project proposal, the easier it is on everybody who has to make a subsequent decision. Leaving that burden of figuring all that out to a proponent is going to slow down your process, and sometimes that may be unavoidable; but

quite often in Canadian experience, we've seen that if some anticipatory work has been done in some sector or some other area, saying, "This is how we're going to do it," then it's much easier to rip through a project assessment with less aggravation on all sides.

This is a quick list of the main factors that you would apply at the global level, and we could go into detail about what each of those includes and which are particularly crucial matters in the Yukon or the Kluane region or whatever scale you want to operate on for particular projects, but the sustainability literature basically says all these things are crucial. You'll notice that we are talking about sociological systems. The legislation that you have talks about systems. You'll notice that we are talking about sufficiency and opportunity. You can use whatever language you want, but people need to have jobs, people need to have sufficient basis for a good life, and that's one of the things that we expect of projects.

Intergenerational equity is clearly crucial. You can see how that is at the global level and what kind of disruptions and concerns and insecurity results when you don't have reasonable equity.

Efficiency refers basically to resource and energy efficiencies. We are, according to some calculations, using about 120% of the available renewable resource base of the planet at the moment; and we've got 40% of the people living on less than two dollars a day. You can see where there is some reason to be more efficient in what we are doing with resources. Democracy and civil behaviour, well, you can understand how that might be a precautionary principle, which we talked about yesterday.

The last point is about integrating all this stuff together. None of these things is particularly controversial. Some of them, you can see, would be more crucial in some places than others, considering how bad the circumstance is or how good it is. One of the remarkable things about that list, however, is no one of those categories fits solely as social or ecological or economic. If you look at the real problems on the planet, and say, "How do we categorize them as serious issues," none of them fall out into the conventional, convenient academic categories. So, even for those of us who are trained in one area or another, you're going to have to get out of the box, because the real world isn't designed the way the box is designed.

And as I mentioned, we've got a whole variety of things that can be done in the Yukon or any other jurisdiction to try to specify more clearly and more particularly which of those issues means what in the current circumstances where your priorities are and so forth. And so that can be done at the Yukon 2000 scenario level. It can be done through regional planning, which is anticipated in your current law and which should be guiding individual assessments according to the legislation.

There can be regional planning. There was area assessment originally in one of the drafts of YESAA that I vaguely recall in my declining years, and there are, of course, assessment processes for individual undertakings, which will carry some of the burden for figuring out what local priorities are. So, there are various levels at which that can be done.

Trade-offs are probably the toughest part, and they have not been very well dealt with in environmental assessment processes so far, particularly in assessment processes that have been partial and recommendatory. If you are looking only at the biophysical environment and you've got some stuff about that that you plug into some subsequent process, usually the trade-offs happen somewhere later, often inside government or inside decision-making bodies, where they decide 'Well, we're going to have these benefits and these costs and there's going to be more jobs, and we're going to wreck this bit of the environment but maybe it will recover," that kind of debate. Well, it doesn't happen in the open. It happens in some kind of cabinet decision or something of that sort.

Where you have this being the core basis of decision, if this is where all the range of public issues get addressed, then that's where those trade-offs should be debated. You may still have the decision bodies having the ultimate responsibility for the decision, but the debates about the choices, the alternatives and the comparison, should happen in a public venue.

So, then the question is: Can you do the same thing for trade-offs as you did for sustainability requirements? Can you set up a bunch of basic anticipatory rules and say, "This is how we want to deal with them?"

Well, the answer is, "Yes." Some of them are obvious. Any trade-off you make should leave us with net gains for sustainability. It should be related to the priorities that have been established for wherever you are.

You don't want to trade things off if you can avoid it. You don't want to make any sacrifices in any area of sustainability requirement, because you need all of those things. In fact, you need all of them in ways that are mutually reinforcing. You want people with more wherewithal and more understanding and more capacity to make collective decisions; and you want them to be enabled to do things that will use resources more efficiently, for instance. And if you have people who have better understanding and better capabilities and more confidence and security, they probably will make better decisions on resource efficiencies.

So, you need all these things feeding each other. You don't want to make compromises, in which case there is a bias in the system against compromises. So, you put the burden of establishing that the trade-off is necessary on whoever wants to propose that it should happen. There's a burden of proof kind of thing that you can do. You may want to have a rule that says: We will never transfer

responsibility for a significant adverse effect onto the future. If we're going to have a significant adverse effect that we are going to accept, whether it's an economic or social or ecological one, then it's got to be one we deal with. We're not going to pass it on to future generations.

That's a highly value-laden question; but on sustainability grounds, there is good reason for thinking, well, that might be a useful rule to accept generally. And we could go on: That there should be explicit justification, that it should always be an open process and so forth; and you might have further rules. There are all sorts of additional ones you would have.

But all of us would say, "We don't want to have a trivial, short-term benefit that's going to have a long-term cost that is irreversible and dumped on future generations. I think we'd all probably agree with something like that. The question is how far you can go with those to provide guidance for proponents who are coming up and having to meet the standard.

Finally, there are implications for the Yukon, and some of them are obvious in what I've said so far. It would be helpful for proponents who are anticipating coming forth with projects, for them to know what is the test they have to meet; and that means you need to provide some guidance about how you are defining what constitutes a net gain so they can refer to that, so they can use that in their planning, so that will help them decide which option they will choose. If they're starting a new mine, are they going to have people flying in, or are they going to establish a new community? Are they going to deal with their tailings this way or that way? There are practical questions that can be guided by such matters. And as I say, those things can be at the Yukon level, and they can be at the regional level, and they can be at a municipal level or a local level.

So, guidance from the community in regional plans that are already begun or in place is another important thing. And then, there's a bunch of other things that you can see how they would have some implications for guidance and the guidance documents that would be helpful might be at a sectoral level, they maybe sectoral guidance for mining projects or for road projects et cetera, and they may be a little different. And insofar as the kind of material can be made available ahead of time for proponents, experience suggests that that makes the efficiency of the decision-making and the clarity of what you are doing much greater.

But of course, over time all this changes. If the Vision 2000 exercise for the Yukon was done again today, it would be a little different. If a regional plan that was done 10 years ago were redone, it would be a little different. We should be learning from experience. As you heard yesterday, there's been an inadequate effort to do good monitoring in environmental assessment and to learn from our experience. That's a highly inefficient way to behave. So, that's part of this exercise, as well. So, monitoring in environmental assessment, if we take the

sustainability approach, would also feed back into monitoring how well we are doing on the various priorities and what those need to be adjusted to accommodate since the world has changed since we initially did them.

We could go on, but I think perhaps this is as far as we need to go at this point; and one of the major issues that will come out of this, of course, and which this should guide is: What constitutes a significant undertaking? What constitutes a significant effect? What constitutes a significant trade-off? And well, I'm dumping all that responsibility on David Lawrence. The clever boy has all the answers to that.

The only issue that this suggests is that in a definition of what constitutes significance, it is useful to have the broad range of your full suite of integrated sustainability requirements included as the basic framework in which you define what constitutes significance in any of those areas.

I'm done and I'm fired, right? I have to get out of here?

12.1 Questions and Comments - Sustainability Principles as a Framework for the Integration of Socio-economic and Environmental Factors in Project Assessments

LINDSAY STAPLES: Thanks, Bob. Before we move into the small group discussion, we could take a couple of questions if anybody has one. Mike, we've got a microphone coming to you.

MICHAEL GILL: Bob, you mentioned the importance of trade-offs in determining net gains. Are there some good examples out there in terms of assigning values, I mean assuming that you have to assign a value to all the different things that you are measuring to determine whether you've got a net gain?

DR. BOB GIBSON: We had part of that discussion yesterday on economic mechanisms, et cetera, and there is a host of tools, of course, and all of them are more or less problematic. Assigning values is convenient if you can give them all -- if you can monetize them as we heard, which you by and large can't for all sorts of things, or if you do so, you could be hiding what the assumptions are.

The tools that are currently available for that are all still applicable, and they are all still problematic in the same kind of way. So, they are helpful in the sense if you think of costs and benefits, well that's okay, and some of them are going to be quantified and some of them aren't; and what tends to be more important is being clear about what alternatives you have available, because basically the trade-offs are done that way. You have this option or you have that option or you have that option, and what do we do? And that can be alternative projects, but it

can be, "Do we align the highway this way or that way, or do we do the tailings this way or the other way?"

The kinds of tools that are available will vary, depending on the undertaking; and what's most important is the process of engaging the stakeholders. It's really who is at the table with what resources or capacity that, in the record that I'm familiar with, is more important than the particular tools that you use.

The case that we did in looking at the Capital Regional District of Victoria, et cetera in British Columbia, doing their growth management strategy suggested the kind of planning tools they had for scenario development in that kind of case, looking at the alternative possible futures et cetera, which use standard planning models planning et cetera was very valuable; but what was most crucial was having varieties of stakeholders around, debating together which of them they liked and why they didn't like this and that. So, there isn't a nice convenient answer to your question, but a good chunk of it has to be getting the relevant stakeholders in a room and talking about it.

LINDSAY STAPLES: Could we maybe take one more before we break out?

RACHEL PUGH: Hi Bob, Rachel Pugh. I've always been a little perplexed by the use of sustainable development in terms of mining, because ore bodies, by their nature, are finite. How do you apply that sort of principle with mining projects?

DR. BOB GIBSON: There is debate on that, and there is similar debate about oil and gas or the use of any non-renewable resource; and the usual response, however adequate it may be, is that these are revenue-generating sources, which have the potential for providing associated benefits of a variety of kinds which could be lasting. They are not automatically lasting; but in energy policy, there's a fairly conventional discussion about bridging. You use the non-renewable resource base to give you a period of economic ability and revenue that you can put towards building an economy that is based on renewable sources.

Logically, that's what you have to do; and often to develop something that's viable in the long run, you need some wherewithal to do that. I mean, that's the whole theory of international development assistance. Sometimes that fails, but sometimes it's quite brilliantly successful.

The issue then is, in these undertakings, what are we doing -- and this may be a government responsibility as much as a proponent responsibility -- what are we doing to ensure that the revenue flows from this are going to lead to something that is durable in the long run?

In Voisey Bay, one of the issues was how can you ensure that you can take an option for this project that will have longer-running benefits. At the time that they were doing the initial assessment, it looked like they was a possible seven-year life, because there was this really rich ore body called “the Ovoid” in the middle of what they had available to extract. If they did the maximum tonnes per day in the concentrating operation and prices did unsavoury things to the company in the long run, you could see this as being a seven-year project, which is sort of your classic boom and bust; and it was very hard to see how you could justify that on any sustainability grounds. So, one of the things that the panel leaned on was having the mine life extended by having a smaller concentrator so they couldn’t concentrate it that fast and get out and the mine life would be extended to 30 years, and that’s the path it went. It was convenient that they found more ore. So, it was made it easier. But that was the option that was taken. So, you could say, “At least that’s more likely to be sustainable. There’s more likely to be a longer run of benefits for the communities so that they can develop certain capacities and abilities and other alternatives so that after the mine closes, as it must inevitably, that community can still be economically viable thereafter, in part because they have used the benefits they have attained in this short-term event to do something in the longer term.”

You can see that that doesn’t happen automatically. So, if you take all this seriously and say, “Well, how are we actually going to make mining undertakings in the Yukon contribute to something that’s more viable in the long run if we don’t have just a succession of mining activities forever, as hasn’t happened in the past?” So, it’s not easy but it’s not impossible to make the argument that there are positive contributions if they are done in certain ways.

LINDSAY STAPLES: Okay, I think there is probably a lot to talk about in your groups on this one. Just another thing, in addition to Mike’s comment on trade-offs and the point about the durability of the benefits, another item you may want to think a little bit about is the point about how fragmented our approach to sustainability assessment often is or socio-economic effects assessment. I heard a number of people talking yesterday. Bob talked about the box or the departments of the university. Of course, there are departments within governments of every order, and the question is: How do you get beyond the stove pipe and the vertical thinking to start looking across the project and across the environment and across the community to look at a more integrated approach? Lyn?

LYN HARTLEY: Thank you. So discussion groups, if you’re looking for the pink piece of paper, finding somebody responsible at the table to hold the pen. And the question is: What are the challenges of incorporating the principles of sustainability into the development assessment process, 10 minutes.

[PINK PAPER]

(Workshop Adjourned at 10:00 a.m.)

(Workshop Resumed at 10:10 a.m.)

LINDSAY STAPLES: The next area we're going to be focusing on this morning is making determinations about the significance of effects; and I think you can appreciate that based on the discussion we had yesterday …

[Discussion, re: Sheets]

I just want to let everybody know that the data is being input into a file that's going to be printed out and made available to you tomorrow for some of the work tomorrow afternoon. So, this isn't going off into a black hole. It's coming back to you tomorrow.

13.0 Socio-economic Issues and Significance - David Lawrence

LINDSAY STAPLES: This area of significance of effects, making determinations about significance, it's one of the more complicated and troubling areas of environmental assessment, and it's certainly something that panels struggle with. It's, you know, one of the things, of course, that proponents do in working up their environmental impact statements is they make their calculations with respect to the significance of effects. And of course, the question is: Well, how does that correlate with, you know, those effected, you know, view those effects and the determinations that have been made about whether they should have more or less significance and what significance is attached to them.

I'd like to introduce to you David Lawrence. If you look at his biography in your package, I think you will become aware quite quickly, that David has pretty much worked in every aspect of environmental assessment, both as a person who has thought a lot about these issues for many, many years, but also as a practitioner. He has been involved in many, many projects in every capacity, both as a project manager, as well as doing the hard work of assessment itself.

And you know, I can't say enough about just how thorough David's experience is with regards to impact assessment in general, but in particular, with respect to determinations of significance. As I've said, it is a complicated area, and I think as talks go, you're going to find this one of the more challenging ones because it is a complicated area, but with that, I think you've got a person who is really well suited to the topic. So, please welcome David Lawrence.

DAVID LAWRENCE: Good morning. I've got a sore throat so it's going to be a little adventure to see if I can get finished this presentation without hitting the water. I'd like to thank you for your kind words and thank Rob for

inviting me to this workshop. I can't recall being at a gathering that had so much of a groundswell of enthusiasm. So, it's really quite exciting to be part of it. I may not sound excited, but I'm a low-key person to start with, with a cold. This is about as enthusiastic as I can get.

Now, there's a little diagram here, which is supposed to convey in a nutshell what my presentation is. It shows a very angry little purple thing, standing on a scale. It's sort of reminiscent of what I look like in the morning on a bathroom scale, but I guess the whole idea is to try to get some sense of proportion about what's important and not important and why, and that's the sort of issue that sort of bedevils environmental and socio-economic impact assessments for a long time is to try to deal with those difficult value issues and to try to deal with them consistently and collaboratively.

In this presentation, I'm going to deal with significance of environmental effects primarily, but one of the things that struck me about the presentations yesterday was the word "significance" kept coming up, and it came up in two or three different ways; and I'm going to try to address those different approaches to significance in my presentation.

In some cases, significance was described as a step in the environmental assessment process. Once you've sort of done all your impact predictions and you've done what you can to mitigate and all is said and done, are those facts significant; and if they are significant, is that significant enough to turn down the project or to require further impact management or that sort of thing? But I also noted that significance was used as a sort of general qualifier in the sense of significant issues, significant problems, significant alternatives, challenges; in other words, sort of value judgments that are sort of woven right through the environmental assessment process.

I think that the approaches that we take to make a more systematic and open and kind of collaborative approach to determine significance of effects, there are lessons there for other value judgements that are made elsewhere in the environment assessment process; and indeed, in terms of how EA regulatory systems are set up and implemented as you are in the midst of doing here.

A lot of what I'm going to discuss today is based on a couple of studies that I did for the Canadian Environmental Assessment Agency. I did a sort of little small one on significance determination in general, and that was a sort of background study to one of Bob Gibson's studies on sustainability, That particular report is available at the CEEA website.

The second one I did was last year. It was one of those small grants but gigantic reports that I'm prone to write on the social and economic -- or the significance of social and economic effects. Now, that report involved a fairly extensive literature review, inputs from over 100 practitioners from different parts of the

world and about a couple of dozen case examples. Now, that particular report isn't available at CEAA, and they haven't contacted me about the French translation yet. The fact that it is 300 pages might have something to do with it.

So, I'm going to make a really rash promise here, and that's if anybody wants a copy of that report, the only person who has it is me; and if you dump up your business cards in a little pile here, I'll endeavour to send you by email a copy of the report. Just load lots of paper in your machine, and be prepared for a long time to download it.

So, as I said, I'll start with the overall concepts, and then, move into some specifics related to socio-economic. Now, in terms of defining -- I'll start by talking about what is social and economic and significance determination and how that sort of fits in. So, in terms of defining social and economic, broadly we're talking about any kind of effects on people and more broadly in terms of community. So, it's sort of individuals and various collectives up through government and elsewhere and economic effects on material well-being and economic activity again of individuals, communities, governments and the like.

And to systematically address significance determination that's deciding on what is important and not important, I think it's essential, that it's necessary to look at the direct and the indirect effects, positive and negative, real and perceived effects, social, cultural, heritage, health, economic effects on people, community and society; that if you have an environmental assessment system that restricts what you can look at in terms of only indirect social effects or only negative effects, it makes it very difficult to deal with these broader questions of what's important and not important or in terms of degrees of importance.

Now, I'm defining "significance determination" as any subjective judgments about what's important; and we sort of float back and forth between sort a hard dichotomy between significant and insignificant and questions as to the degrees of significance, and I'll sort of come to that; but I'm actually more comfortable dealing with the questions of degree than necessarily a hard threshold, but obviously for regulatory purposes, it's often necessary to make that distinction.

As I said earlier, significance interpretations are not just made at one step in the process. You are always dealing with value judgments about what is important or not, and they are made throughout the process; and because they are value judgments, it necessarily, in my mind, relates to decision-making, because it's whose values and how does that affect the different decisions that are made at each step and how is that being sort of translated in terms of the outcomes of the process? So, it is very directly tied into decision making and; accordingly, I think it has to be something that is collaborative, that involves a lot of perspectives and parties in jointly coming to those decisions.

I'm really reluctant to view significance determination as a technical activity that some sort of specialist should be undertaking. I think that the specialist can provide advice and support, but this is something that the people who are going to be affected by the project should be jointly determining.

Now, what is important is not uniform. It is going to vary depending on the geographic setting. It is going to vary for different kind of projects. It is going to vary in a variety of ways. So, it is very context-dependent. I'll come to that a little bit further. But I don't think it is totally context dependent. I think that there are broad patterns that often reappear, and we can learn from those. But it is not something that is kind of carved in stone that one can uniformly apply in all situations.

As I said, to my mind, significance determinations should involve specialists, they have a role to play, the public and a variety of all stakeholders should all be working together to come to some sort of joint view of what is and isn't important and why. And when people talk about significance, they are often talking about different things, and it is important to understand what that particular perspective is. Is it just straight statistical significance? Is it significance as defined in some sort of law or regulation, or is it simply what people consider to be important?

This gives us a sort of a little general sense of where significance sort of fits into the kind of broader process. Significance can be applied in different things. It can be applied to what's an important or significant proposal or alternative. It can be applied to individual and cumulative effects. It could be applied to an environment as a valued ecosystem component or socio-economic component. It is a process, in a sense, that you don't just suddenly come up with what is significant. There has to be a series of stages.

One of the general themes that I keep emphasizing, when dealing with significance, is that when you make a judgment, you have to substantiate it. And the reasoning process behind that is critical. And therefore, information and support sort of feed into significance determinations. And also, sort of classically, when you look at a lot of the literature on significance determination, oftentimes it is a combination or sort of a counterbalancing between looking at the magnitude and intensity of an impact, and then, sort of placing the whole thing in a local or regional or administrative context and kind of combining those together to come up with your significance determination so that there is a sort of general sense of where it fits in.

I'm sure that is not visible at the back of the room. I've got a handout that relates to this. It's got some fine little lettering down the side of your cop on your tables. I'll deal with each of these individually. It is dealing with sort of different methods for deciding what is significant or not significant in terms of degrees of significance. So, just briefly, and then, I'll sort of elaborate on each one.

In terms of significance, it is always useful to have some broader frameworks within which you can decide what is significant or insignificant. If there is a regional planning strategy, you can draw on good practice in terms of how it is done in other jurisdictions. Drawing upon local knowledge, the perspectives of the different groups and agencies that are involved in the process, something that sort of sets the stage that you're operating within when you are dealing with the significance determinations on an individual project.

Now, a lot of times, there is what is called -- in deciding what is significant, there is a lot of use of thresholds and criteria. And I'll come to these again in a lot more detail, but there are some examples given in your handout: Legal threshold, is this consistent with a particular law or not, technical thresholds; functional receptor significance and sensitivities, sustainability as Bob was talking about, public preference, these sorts of things.

Basically, what thresholds, which is what's to differentiate between significant and insignificant; or criteria, which deals with issues of degrees of significance, essentially what they are trying to do, is to take the process of deciding what is significant and treating it in a consistent way. Like using the same criteria and applying them to each type of effect so that at least you are treating comparable affects in a comparable way. It makes the whole process a little bit more traceable.

Now, one can take those thresholds and criteria and combine them quantitatively or qualitatively. There are a lot of technical methods that sort of aggregate thresholds and criteria. There are also a lot of participation approaches that take a sort of opposite approach. They say, "Rather than a technical process that sort of takes in public concerns and spits out using a series of decision rules, what was degrees of significance, or what is significant or not," there the participation approaches take the argument that since it is so context-dependent and it's so collaborative and valued-laden, that the way to decide on significance is in a collaborative process where significance determination is an output of that dialogue. And there are a lot of methods to support these types of approaches, drawing upon methods for involving the public, measuring uncertainty, collecting data, that sort of thing. And we also can look at significance in a process sense in two senses. One is there is a way of deciding on what is significant, and the second is how does it fit within the EA process.

Just a few definitions then: Thresholds, that's a performance level that says, "Okay, if it comes up to this level, it's significant. If it doesn't, it's not significant." Criteria are factors that help you structure the way in which you decide what is significant or not. And the criteria -- actually this particular slide, we have another handout and what I have listed here is a large number of examples of thresholds and generic criteria and feature specific criteria. That's where it's not -- you know, the general threshold, is it controversial, potentially severe health effects, regulatory standards likely to be contravened. These are the sorts of thresholds

that are often used in EA practice to differentiate between something significant or not. The generic ones are examples of criteria that are used to deal with degrees of significance. Oftentimes, significance is decided by looking at a specific environmental feature. I suspect that, as you look at this particular table, and you are going to have a little trouble reading this. This table has sort of two functions. One is to give you information that is too small to put on the overhead. And, the second is an eye test. I have a whole book that is an eye test, as Bob will attest to.

Also, on that same overhead handout we deal with context, and that is, any decision about what is significant is partly dependent on context, which sort of binds or sort of structures the whole interpretation. In other words, if you're dealing at a local scale or regional scale, what is significant is going to vary depending on how you alter those scales. It is going to vary on your time horizon. It is going to vary in different social and political settings from the points of view of different parties. And it is important to take into account that broader context in making your significance determinations.

So, I'll whip through these fairly quickly, because I've probably said something about them already. Frameworks send a guide and structure significance criteria. In other words, it is a lot easier to decide on what is significant if you have good practice principles to draw upon, if you have well-defined public perspectives and issues through effect public consultation, if EA requirements, policies and judicial decisions sort of set the stage; you have a good solid knowledge base, good guidelines that deal with issues like significance.

The methods: You can have significance that can be determined by applying technical methods, either qualitative or quantitative. They can emerge from a participatory process. They can be aided by support methods. You can have sort of combinations of methods, which take into account thresholds, criteria and these other sorts or methods.

I'm going to sort of divert myself just briefly here. I think that there are a couple of methods that just don't work. I'll just sort of highlight those. I think, especially in terms of social and economic effects, I think that there are real limits as to how far one can quantify those kinds of differences. I think that people have a general sense of what's important and not important, but it is very context-dependent.

I've reviewed some environmental assessments where they ask people to sort of weight the difference between of health effects and heritage effects by one is 3.2 times more important than the other. Whenever people are asked to do that, they sort of jump back and say, "Well, it all depends."

And then, they say, “Well, no, you have to do this,” and they provide some input, even though they don’t really want to. And then, the result comes out, “This alternative is preferred.”

And then, they say, “Well, I don’t agree with that.’’

“But, no, no, no; you provided your input.” I think the bottom line is that I don’t think that people order their preferences in the abstract with precision. It doesn’t make sense to me. And any evaluation system that forces that is I think is inherently artificial, especially for social and economic effects.

The second thing that doesn’t work, I do a lot of peer reviews and one of the things that I do, without giving away any trade secrets, is I go through the environmental assessment. I circle every sort of subjective judgment. When I see words like “minor, insignificant, minimal”, and you know the whole catalogue, and if there is nothing after that, it is sort of just plunked in there, then I know that we have a problem or if it is just sort of dismissed. So, if you’ve worked all the way through the environmental assessment, no sort of coherent structure to value judgments, no sense of how they are being substantiated or supported, no sort of logical bringing into play a range of perspectives; you’ve just got a lot of data and some analysis and this sort of arbitrary ad hoc approach to interpretation, I think that you have a very flawed environmental assessment. So, those two basic approaches, to my mind, don’t tend to work very well. Well, I’d say “at all” but anyways…

Now, in terms of the significance determination process, there is no standard approach. What people tend to do is they sort of concentrate on the easy stuff first, that’s the nice precise threshold, something you can measure, tied into a standard. You know it’s more than X-decibels, therefore, it’s over the noise threshold. And then, one moves into exclusionary screens and progressively add levels of interpretation, move into the individual, cumulative, and ultimately end up sort of tying it altogether in terms of sustainability thresholds and criteria.

Now, this is the way the process is often characterized in the literature. It makes me rather uncomfortable; because the first parts are the easiest and, to some extent, the least important. Because, I think it is sort of collectively how one comes to an overall determination of importance. And what a lot of times happens in EA systems and in EA projects, is that they do the first couple of steps and say, “Okay, we’re done,” what is easy and measurable. This point was made a couple of times yesterday, as well.

Now, significance doesn’t just occur in terms of the environmental assessment. It occurs in terms of environmental effects, rather. There are judgments being made about importance throughout the regulatory system. What triggers the process? That’s a judgment.

What type of effect are we going to apply? There are judgments there, scoping, in terms of what's important; deciding on the key objectives, principles, thresholds, criteria, et cetera that you're going to work into legislation and regulations. The kind of guidance you provide in significance determination in terms of which criteria should be applied when you are looking for different kinds of projects. How far do you go in terms of scaling levels and processes and methods? There are a lot of judgments being made in terms of decision-making: This project is acceptable or not. Judicial reviews similarly, the same case.

So, I think significance determinations or determinations of importance or however you define them are made throughout the EA regulatory system. They are also being made in every step in the EA process.

So, I'll just skip through these really quickly. You can see them on the screen: scoping, baseline alternatives, all the way through; impact interpretation, which measures we use for impact management, cumulative effects, consultation, decision making, post approvals.

I'll say something a little rash here, but this sort of came to me in the midst of discussions yesterday was that because decisions about what's important are so inherent to the nature of environmental assessment, you can either do it poorly or you can do it in kind of a systematic, substantiated, open, collaborative way. If you do it the former way -- but what you basically have is an environmental assessment that's not workable and misguided. It's not workable in a sense that environmental assessment, I used to say this to my students many, many years ago -- was that environmental assessment is inherently impossible.

If you look at the sort of model underlying it, there are always more alternatives you can look at. You can always look at more effects. You can go into secondary, tertiary, and just carry out and look at the effects on the world and on and on. And, you can look at all these inter-relationships. So, there is really no stopping rule. And so, the difference between a workable EA regulatory system and a workable, sort of practical environmental assessment process and document are the decisions about how we get from the impossible to the practical and how well those are substantiated. So, again, that's a pivotal thing for significance determination judgments that are made in the process.

The other point is environmental assessment, in contrast to other sort of planning models, actually wants to get something done in a substantive sense. It wants to make the environment better off, and that's sort of value-driven. So, that provides a sort direction for environmental assessment. And so, depending on how those value judgments are made about what is important or not, environmental assessment, if it is done poorly, is either meaningless or misguided.

So, once again, in order to have an environmental assessment system and environmental assessment documents that can sort of stand the test, I think you have to take a systematic and coherent and collaborative approach to these judgments about importance and significance.

Now, there is a tendency in environmental assessment to sort of reinvent the wheel. That is, "Every project is totally different, let's start anew" and not learn too much from the previous ones, because every project is unique in terms of the project and in terms of the setting, and that's true to a degree. But I think that one of the things that I notice when you across a lot of this EA literature and the comments that I got from a lot of collaborators on the study was that certain effects keep coming up. And there's certain class of effects that often come up in socio-economics effects. And there is also a certain class of effects that are particular concerns for certain settings and for certain project types. And I think that part of the process of deciding what's significant is to try to build up that knowledge base.

These are a few examples and I'm not suggesting they are definitive, but they certainly do come up a lot when you look at social examples of projects in environmental assessment. Health effects: often people are very concerned about that especially probability severe and unique effects. If the project is likely to displace people or significant resources, they sort of change the consequences that effect, not just those individuals, but more broader, the communities and the like.

And it's also important to look at composite effects on individuals in the communities. As Bob said, this sort of staple approach doesn't work terribly well, although most of the reports I see actually are with a Cerlox binding, but I don't think that takes you too much further. But it's sort of taking all those individual effects on people and saying, "Now how is their overall livelihood and quality of life affected by sort of all the effects, not just you know, the noise against the standard, not just certain kinds of social effects.

The composite effects on individuals in communities impact triggers in the sense that if you have effects that generate a whole cascade of additional effects, then those tend to be significant, both in the sense that they have that ability to generate a lot of effects but also, if you can do something at the front end, you can effect a great many other effects down the line. The example keeps being made that if you can stretch out the implementation period you don't get those peak-related effects in terms of jobs and local investment. So, the impact triggers are often important. The ability and willingness of communities to change, the potential to build social capital and facilitate community empowerment sustainability is important. I think this is an interesting shift. I mean, there's a lot of social and economic impacts that the tentative view of communities and local residents is that it's sort of the passive recipients of impact and that there was an adverse effect or sort of negative intrusion on their lives,

and I think that there is a lot more of this reorientation that occurs with the shift of sustainability, saying, “We should really be viewing the project as a catalyst for positive change in terms of how can the project contribute to building social capital, to giving people more control over their lives, to greater community and environmental sustainability;” and that’s quite a shift in thinking and also in terms of how one deals with management of change.

And also, the sort of adverse or disproportional effects on disadvantaged and marginalized and vulnerable members and segments of society, those kinds of effects seem to come out over and over in terms of effects that are often significant.

Now, no way I can get through the next 15 slides, but what this selective lesson thing is about it is essentially the major conclusions out of that second study that I did, and I’m just going to flip through them real quick, at a hundred miles an hour until he stands up, and then, I’ll stop.

Okay, so we define socio-economic broadly, recognizing the significance determination is subjective and central to decision making. There is a role for everybody. Thresholds and criteria can help with enhanced decision-making, make it help to be more consistent, explicit and informed. There is a middle ground between a standardized approach to everything and a case-by-case. That’s more flexible criteria for different situations.

Effects aren’t completely context-dependent. There are some problem areas to effects that are often significant and that turn up over and over again with projects. Composite approaches can pull the pieces together. I think collaborative approaches with a technical and support role, rather than the technical quantitative approach, with a little bit of public input, is probably the preferred way to go, especially with social and economic effects.

The link to sustainability, tying in the precautionary principle; it’s a lot easier to do significance interpretations when you’re within a well-defined context, and that context can be defined by sustainability initiatives, regional planning standards, conventions, guidelines. All these sorts of things can help frame and set up the interpretations you’re going to make on an individual project. It can make a huge difference.

A lot of jurisdictions have guidelines on how to determine significance thresholds. They actually give you examples of criteria that can be used. Lots of frameworks and handbooks are available. Decision rules and criteria can make it easier to involve government and the public, as long as one doesn’t get carried away with the quantitative again.

I came across one environmental assessment that was especially refreshing. It said, “This impact is significant. Now what can we do about it?” And basically,

the whole environmental assessment was built around the immediate acknowledgement that the effects were significant; and rather than go through all the other stuff, let's decide if the effect is acceptable, because there is no point doing the rest otherwise. And also, is there something we can do about it if it's not acceptable to reduce it to acceptable levels. You know, sometimes I think that would cut through a lot of silliness that takes place.

I sort of have a foot in two camps here. I sort of waver between the importance of consistency when you use criterion and, you know tables, and decision aids and that sort of thing and the sort of more qualitative, carefully reasoned argument that builds all the perspectives in; and I'm really impressed with review boards and panels, the way they deal with significance, and it isn't quantitative. It isn't, you know, sort of tables and figures and things; but there's that chain of argument where all the perspectives are sort of brought to bear on each issue, and then, a sort of overall carefully-reasoned argument is there. I think that those kinds of decisions, proponents and governments can make it easier for the panels with those kinds of decision aids and with that broader context defined.

Traditional knowledge can make an important contribution. Often qualitative social concerns, like the ones that are listed, there can be addressed systematically. Sometimes people have this tendency to kind of throw up their hands and say, "Oh, stigma, we can't deal with that, so we'll just sort of deal with that in public consultation;" but there are examples where it has been done. Focus, make sure there is a diversity of values. Advocacy organizations can apply social and economic analysis themselves and come up with their own significance determinations and use that to test those of others.

This is the final slide. There is a lot of room for improvement. EA requirements tend -- currently they can often make it more difficult to do a significance determination in a systematic way. Guidelines, by and large in most jurisdictions, don't provide a whole lot of advice. Practice is often inconsistent and rudimentary. And there are another couple of handouts here, another one which will require you're glasses, which looks at a range of perspectives that I came across in the study in terms of significance determination. There are a lot of good practice examples.

There is one other handout there, which sort of has the two-column table, one dealing with significance determination in a sort of general sense, the social and economic, and then, how does that change when you look at it from a sustainability point of view. I think, if you work your way back and forth between the two columns, you can see that it is a pretty fundamental shift in orientation. I'm done.

LINDSAY STAPLES: Thanks very much, David. Thanks for that. I'm going to suggest that we move directly into small groups. I know that some of you now are probably thinking this is one of those kind of really extreme self-

growth seminars where you are not allowed to take a bathroom break and your self-discipline is challenged. It's not one of those seminars, but if you can hang on for 10 minutes, we would like to just get through this. Just quickly, I had a question actually that I'll pick up with David later on, and that was: Based on his experience, I'd be curious to know, of all the EIS's that he's looked at, when a reader turns to the matrices of significance and insignificance at the back, to what extent those EIS's have held up with the public at large and with the panel as it's been submitted or to what extent they've had to be altered and changed. I'll pick that up with you personally, but I guess it's the point of what's the batting average in EIS's of getting it right the first time with respect to EIS's over the last 15 or 20 year, and I think David is suggesting there are some issues.

LYN HARTLEY: It's your turn now. Looking for a turquoise sheet on your table. And this is the big question: So how do we determine significance when we're doing it here in the Yukon? How are we going to determine that? Ten minutes.

[TURQUOISE SHEET]

(Workshop Adjourned at 10:45 a.m.)

(Workshop Resumed at 10:55 a.m.)

LYN HARTLEY: We'll take a fifteen minute break.

(Workshop Adjourned at 10:55 a.m.)

(Workshop Resumed at 11:15 a.m.)

14.0 Relationships between Social and Ecological Systems - Patt Larcombe

LINDSAY STAPLES: Okay if we could, I'd like to begin. Okay, this next area that we are looking at with respect to socio-economic effects assessment again is an important one. We talked yesterday, in the overview of socio-economic impact assessment, about understanding social systems in the context of doing SEEA.

And I think many of you who are in the room are well acquainted with environmental effects assessment recognize, you know, in looking at environmental effects, we want to do so with a view of understanding environmental systems, ecosystems and so on. So, as we pointed out yesterday, it's not just a case of assembling random bits of information about people and the communities that they live in. We want to understand what's the glue that holds that community together.

When we talk about a society and we talk about culture, we are talking about systems; and in the context of environmental assessment, we're looking at the relationship, not just understanding one system, but looking at the relationship between systems, so social and cultural systems, social and economic systems, the relationship between them and their relationship to the land or their relationship to the environment. We have with us today, Patt Larcombe, who you met yesterday, who is a consultant out of Winnipeg who has worked very, very closely in the area of particularly First Nations social and cultural systems as they relate to the land and the environment.

The intent in this presentation is not so much to limit your understanding to that particular area but to give you, by way of example, an idea of when we talk about trying to understand systems what it is that we mean by that. Again it is an attempt to kind of move our effects assessment work beyond simply doing counts of people, hospital beds, churches, numbers of trappers, how much is coming in off the land in the way of furs and so on. We're trying to get at something deeper than that and broader than that, and that's what this next talk is about. And Patt Larcombe is really well equipped, with her experience in many parts of Canada, with the Voisey Bay nickel project for one and many parts of Manitoba for this next topic. So, please welcome Patt Larcombe.

PATT LARCOMBE: Good morning. Hopefully I'll be as inspiring and interesting as some of the previous speakers. Thank you, Lindsay, again for the wonderful introduction.

What I'd like to do in the next 25 minutes, just 10 minutes longer than yesterday so maybe we don't have to put our seatbelts on, is to give you sort of an overview and a primer on what social systems are, where they fit into the broader system of environment or the ecosystem, what are the linkages and relationships between social systems and physical systems, economic systems, biophysical systems, with a primary emphasis on aboriginal social systems. And then, I'd like to sort of wrap it up with a little bit of discussion on some of my views, certainly, they're my personal views; but on some issues concerning timing of doing social effects assessment within the broader environmental assessment. And I'm going to make just a few final comments on traditional knowledge and how it fits into the process. I'm not an expert on it and I don't -- it's a whole subject area in and of itself, but I wanted to make a few comments on it towards the end.

Society and different countries and different parts of Canada even have different ideas of what environment is. In some cases, environment excludes the human component, and sometimes it includes it. Some people call it the ecosystem, and some people think ecosystem means fish, birds and soil. I guess the message within environmental assessment is that human or social systems are part of the environment. The environment of animals and plants and soil affects

us but we also affect it. So, we have to look at it as one big wholistic environment.

So, if you accept the premise that the social system or the human element is part of the overall environment or ecosystem, then the whole outlook of doing environmental assessment becomes a little bit more linked. And there isn't just one social system. There's many within any particular geographic area. Within Yukon, as in Manitoba, we have urban social systems, and they can be aboriginal or non-aboriginal. You can have aboriginal communities that are rural but accessible, or you can have those that are remote. You can also have remote non-aboriginal communities, and you can any kind of mixture of any of the above; and each of those are social systems within social systems. Yukon, as a territory, is a social system so you can start from the macro and go micro or you can go from micro to macro. The point is that you have to acknowledge and understand that there are social systems, and they can overlap. They are complex. They are dynamic. They are constantly moving and changing. They go through natural changes, as well as non-natural, I guess, or project-induced change.

And systems are adaptive, and particularly aboriginal social systems are highly adaptive. They're so reliant on the land that they have to become adaptive. Otherwise they wouldn't survive. An example of adaptation in a lot of aboriginal communities is in terms of harvesting, going from using dog teams for transportation and access to skidoos, GPS units, satellite phones. These are all ways of continuing to harvest, but they are adapting to technologies that are available.

This graphic is -- I'm not suggesting it's absolutely complete, but I'm trying to capture some of the major elements of a social system. It includes the economy, culture, history, family, how families organize themselves, how the community organizes, health, well-being. Note that a lot of these are value words, but social systems are about values. They are about people, values, norms and beliefs; environmental knowledge base, political structure, leadership, governance, recreation and leisure. So, to understand a social system you have to look at all of these elements.

Now, there are a lot of different levels of environmental assessment. We're not suggesting that you have to do a complete study of a social system for every level. We tend to focus on the big comp studies or the panel reviews under CEEA. But by and large, most environmental assessments are of a much smaller scale. And so, I'm not suggesting that you have to go out and study every social system on every EA, but the idea is that through time and through practice you gain knowledge, and you gain an understanding of a community.

Aboriginal social systems are highly linked to the land and the resources, and this is not to suggest that other communities are not. East coast, west coast

commercial fishermen, farmers, there are a lot of communities that are linked to the land; but as a generalization across Canada, it would be hard not to argue that aboriginal communities are heavily reliant on the land and the resources. It has developed their societies, their identities, their practices, their norms, their cultures are all derived from a land-based and a resource-based economy.

Aboriginal communities need a healthy environment to be sustainable. I said earlier that aboriginal communities are adaptive. All communities are adaptive, but there is a threshold. Normally with natural cycle and natural change, there is a time in order to adapt. Project-induced change can be extremely rapid, and it's very difficult to adapt to.

This diagram is just an effort to try and illustrate some of the linkages between an aboriginal social system and the environment of water and land, fish, wildlife and plants. Water and land, in healthy systems, are highly important to aboriginal communities in order to express their culture, to make a living, to teach, to pursue a livelihood that's in keeping with their culture. Water provides habitat for species that are important for harvesting. It provides transportation and access, both to water systems and to land systems; and it's a resource for consumption and harvesting of fish, waterfowl.

The same with the land. It provides habitat, it provides for harvesting, and it provides for transportation. Fish, wildlife and plants provide for subsistence use for some people call it "country food", but it's consumption. It also provides for cash income through commercial use and sales, such as trapping or commercial fishing; and it also provides for other opportunities, whether it's a tourism-based, ecotourism, outfitting lodges, that sort of thing.

So, you can see that for a lot of aboriginal communities, the land and the resources provide everything that they need. And so, if there is going to be a project that changes any element of that, it could be quite significant. It may not be significant to someone who lives down south, but it could be very significant directly to that community.

I'm just going to talk a little bit about some of the timing issues and some … Social impact assessment is very value-driven. It has to be. It's done by humans, and it's an art. We all bring our values into whatever we are doing. Science tells us we're supposed to be neutral; but when it comes to impact assessment, you can't help but bring your values to it. I guess the important thing is that the values that are being introduced include the values of the people who are going to be impacted by a project.

I guess the first point that I'd like to bring out is that there are some timing issues in linking social effects assessment to the broader environmental assessment process. Yesterday I talked a bit about having a really good project description. Even though that project description may change as a consequence of going

through the process of doing the environmental assessment, people need to know what you are talking about: How big, where, what's it going to do?

My experience has been that the environmental assessment process starts, and you don't get the description of the project until the environmental impact statement has been filed; and it's really unfair and unreasonable to go out and talk with community members and ask them what their concerns are if you can't give them some inkling of what it is that is being proposed. And I know it seems kind of ridiculous and surprising that this happens, but it does happen; and in fact, I'm working on a project in Manitoba where the proponent wants me to go out and do consultation, and I said, "You still don't have a project description. What am I supposed to tell them?" You know, it's kind of illogical.

The other timing issues are at the scoping stage, having a good project description. As I was talking about yesterday, all you are going to get at the scoping stage are preliminary concerns, but they guide you in terms of where you are going to go next, and they also help in identifying the key environmental components or the social components. What happens with a lot of the bigger environmental assessments is that, you know, they focus in on the valued ecosystem components, endangered species. Sometimes, it's the glamorous species, the bigger species; and sometimes what gets missed are things like rabbits or muskrat that are highly important to community members; but they're not on the Endangered Species list, and they are not maybe as cute as a snowy owl, but if you don't talk to people at the beginning, you are not going to know that those are important species that you should be looking at.

A lot of times scoping, in my view, it's rushed. It's a quick stage in a bigger process, and people want to get to the guts of doing the EA. Some of the issues that I've been made aware of through my own experience is, for example, defining the spatial geography of the study region, people often draw their boundaries, and they may figure out which communities are inside that boundary, without realizing that there may be a community a hundred miles away that harvests in that area and they miss a community; or they look at a spatial area, and this happens a lot with caribou, because caribou change their migration patterns now and again, and it could be a case that a community is not harvesting in an area and maybe hasn't done so for 25 years; but maybe the migration pattern changes, and all of a sudden you do have a community that's harvesting in a study area. So, that's why going back and looking at the history of a community -- and this is only where traditional knowledge can really help. Scientists don't always know where caribou have been, but people know where they have harvested.

I mentioned a little bit yesterday and David was talking about the parameters for defining significance. It's critical to sort of get that sense of what you need to be looking at the scoping stage. I mentioned yesterday about the case of Voisey Bay where the threshold was: Was their going to be a significant impact on

caribou in terms of the entire herd? When you set your threshold that high, you usually don't have any significant effects. But at the scoping stage, if you are working with communities, those are the kinds of issues that you want to talk about.

Another issue with environmental assessment, and the history of environmental assessment has been sort of a scientific approach; and it's been driven primarily by environmental investigation, looking at micro-organisms, water quality. The social element has not been involved or applied as often as the other, and there aren't as many models or frameworks for doing social effects assessment; but there's still some thinking out there and it's sort of a hierarchal or reductionist approach that: If you study this, it will tell you this, it will tell you this and somehow social effects are just going to fall out of the process. It's a pretty false approach to things. You need to look at it in a wholistic approach, you need to look at it altogether, because everything is linked. I go back to the social systems, the physical systems and the biophysical systems are all linked. You can't take them apart and expect that your social effects are just going to fall out of that process.

So, you need to understand your social system if you're going to be able to do social effects assessment. You need to do that not only to understand the social system, but it helps to focus you on what you are going to look at with your physical and your biophysical part of the assessment. It makes it a more efficient process in a way, so you're not just blindly running around looking at everything. If you understand that if you take it from the approach of what people's concerns are and focus that with what the rest of the assessment is, rather than the way it's been done -- it's been done the other way around -- you'll have a better EA. It will be more focused. It should be more timely, and it should be more efficient. So, if you start your baseline research, which helps you to understand your social system a little bit earlier than the physical and the biophysical, it should give you some guidance on where to go with that; and also, make sure that you don't get to the end of your EA and have huge gaps.

Social effects assessment isn't done in a vacuum. The whole process is integrated, and there is information from one is feeding into the next, which is back and forth, so that you don't end up as was said earlier, stapling it together in the end.

I'm just going to talk a little bit about -- just to give you a sense of some of the complexities in understanding social effects assessment. What I've called "direct project effects" are things like the construction or the operation of the project itself. How many people is it going to bring into an area? Is it going to bring in equipment? Is it going to create noise? Things that derive right out of the operation of the project can have social effects. Often what happens when a new project is in place is the most skilled labour force within an aboriginal community goes off to work there, and those people are highly and dearly missed

in their community, and it creates a void. And that's a direct impact that comes just right out of the project. That's not because it's affected water quality or anything else, and a lot of those effects don't get examined in EA.

There are direct effects on communities that come out of what I call the "physical components" or the "physical system". Example: (and my primary experience is with hydro dams so you'll forgive me if I kind of focus on that.) Changes in water temperature, the timing of freeze-up, water depth, just changes to the water regime itself can have a direct effect on people. Where you used to skidoo is now open water. When you used to skidoo is not frozen yet. Getting stuck out on traplines because it hasn't thawed quick enough. These are all just direct effects from changes in the physical environment.

Indirect effects, which go through from the physical, they alter some aspect of the biophysical environment, would include things like loss of habitat or change in migration patterns or the change in the quality of a resource. With hydro projects, one of the biggest effects is that people perceive that the fish don't taste the same. That's very difficult to prove, but perception is reality in my books. So, there's those indirect effects that come through by changes in the biophysical environment.

And then, there are actually effects linkages between the biophysical environment and the human system. What you might see happen is that if there's a decrease in the quantity of one particular species or the quality, the pressure on another species can increase; and a lot of environmental assessments miss those kinds of nuances. So, if you understand the social system properly you have less chance of missing those kinds of things. Certainly if you involve people, you're not going to miss them as often.

You probably can't see that from back there, but, hopefully -- all I'm trying to illustrate here is that there are changes to physical systems, which cause changes to biophysical systems, which can change social systems. Sometimes they're direct. Sometimes they're indirect. Sometimes they're very circuitous, but everything is linked. So, you have to look at all of it.

Significance, again, it's a timing issue. I think that it's important to know what the significant or highly important physical or biophysical changes are going to be before you finish off figuring out what your social effects are and what their significance is.

Aboriginal people have a different perspective on what significance is, and I've had the opportunity to actually do some discussions with aboriginal people across Canada, and there is a report on the Internet that was done for the Canadian Environmental Assessment Agency, which you may want to look at, which talks about what, from an aboriginal perspective, is a significant effect. Highlighting some of the discussions from that particular piece of work:

Limitation or restriction on access to land and resource is likely to be seen as significant; limitation or restriction on harvesting rates, declines in diversity, volume or quality of harvested resources, any adverse effect on country food whether it is taste, contaminants, texture; increased harvesting costs; negative effects on language, culture, spiritual teachings, knowledge transfer; negative effects on historical, spiritual or culturally-important sites; effects on leadership and community stability and things like loss of skilled labour force and decline of harvesting due to project-related jobs.

Finally, I know at my table yesterday we had a lot of discussion about traditional knowledge and how it contributes and practically how it will contribute to environmental assessment. I guess my view is it's not data collection, it's a process. If aboriginal people are involved in the environmental assessment, traditional knowledge will be there; and it's not just contributing to the biophysical aspects of environmental assessment, but it can contribute to all the elements of environmental assessment. So the message is, "Involve people and traditional knowledge will come with it."

Thank you very much.

14.1 Comments and Questions - Relationships between Social and Ecological Systems

LINDSAY STAPLES: Just before we break out into our small groups, I'll take a couple of questions for Patt. Has anybody got, at this point, anything? Karen, right here.

KAREN BALTGALAIS: Actually, I'm not sure if this is a question for Patt or whether it's something that somebody from the YESAA Board or somebody would answer, because I thought that it was very important about what you were saying about the scoping, beforehand, and finding out what are going to be the key issues and that kind of thing; and I'm curious how scoping fits into the timelines that the YESAA Board is thinking of right now in terms of how long can we take to scope a project before it starts having to move through the system more quickly. So, sorry if that's not really a question for you.

LINDSAY STAPLES: Yes, I was going to say, "Why don't we file that one away?" And I think again, when it comes to the last afternoon, one of the things we wanted to do was just identify those areas that are obviously not going to be fully resolved and understood in the course of these three days. But at least what we're putting on the radar screen are matters like that so others are well aware of what's on people's minds.

Another question? Ron?

RON SUMANIK: Ron Sumanik, Oil and Gas Business Development, Yukon Government; in the past 40 days about six or eight of us have been involved in a review of the McKenzie Gas Project that Kirk alluded to yesterday. And I guess one of the things that struck us quite early on in that 7,000-page read is, the study area in that particular one is very geo-political. It's the McKenzie River corridor, and on the western boundary you have the Yukon border; and it struck us, to use one of your examples, we could see the entire labour pool of the Yukon going into that project, whether you're employed currently or unemployed.

And in these EIAs, do you ever see two different study areas being identified, an environmental one and a socio-economic one; or would you be advocating that the study area is flawed and it should be much larger, and environmental and socio-economic? Given your perspective, I would say that you're going to recommend enlarging it. And then, where do you go from there when you see such a fundamental flaw right at the early stages of the review?

PATT LARCOMBE: I'm not going to answer all of that question. I'm not a political animal, but I think it's conceivable to have a study area for social effects assessment that looks something different than for biophysical. You know, whether you sort of figure out where those two are, and then, draw the circle around the largest part of it.

I've never seen more than one study area actually identified; but then, also, social effects have not been in play in some of the larger environmental assessments in Canada. So, I think probably the most prudent thing to do would be to sort of amalgamate your two study areas and just draw a big circle around it and focus your social effects assessment on the study area that's relevant and focus your biophysical on either a larger or a smaller segment of that study area.

LINDSAY STAPLES: Thanks very much. If I could, we would like just to, in the interests of time here, move into the small group discussions.

LYN HARTLEY: I just want to tell you, there are some real people who are involved in transcribing all this information. So, I just want to point them out to you. So, Diane is taking all of this data and is inputting as we go, and another person I want to point out over on this side is Joyce. Joyce, can you wave? There she is. She's actually transcribing this whole event. So, there will be a transcription of this event, and that will be on the CD.

And at the very far back of the room, Shane. There we are. There's one of the other person who's trying to document all of this data. So, we're looking for the mauve sheet of paper. It's actually Number 7 and it says: How can we understand the relationship between social and ecological systems? So, how do we do that here in the Yukon? 10 minutes.

[MAUVE SHEET]

(Workshop Adjourned at 11:46 a.m.)

(Workshop Resumed at 12:00 p.m.)
LYN HARTLEY: Bringing this conversation to a close.

So, welcome back. And, if somehow we can get those sheets of paper to the front of the room again, that will be great. We will be starting again at one o'clock. So, if you can be back promptly. Lindsay.

LINDSAY STAPLES: Just if I could, we'll do a recap on the morning after lunch as we move into the afternoon session. And, secondly, the First Nations panel that's on this afternoon, we were just going to meet briefly at the front of the room here. Thanks very much. Have a good lunch, and we'll do a recap after lunch.

(Workshop Adjourned at 12:03 p.m.)

(Workshop Resumed at 1:03 p.m.)

LINDSAY STAPLES: So, this morning we were looking at some very, very large ideas and concepts; and we were looking at frameworks to be thinking about with respect to socio-economic effects assessment. Just as a reminder perhaps, and I think I said this in the opening session, one of the things that we really just, at the most basic level, wanted to accomplish through this workshop was just to really alert people to who and how they were implicated in socio-economic effects assessment under this new legislation. And as we've talked about, there are departments of government that, in the past, have had no involvement or very little involvement in project reviews; and, as much as anything, this workshop was really just to kind of sound the bell and say, as Kirk pointed out in his presentation yesterday on the legislation, there is a requirement to be looking at these issues and to be thinking this stuff through. And, that's going to imply some institutional demands on your organizations, and I think that we'll probably hear more about that.

But this afternoon, we're really going to focus more on the people who are affected by these processes. So, I'm not sure if this is totally accurate, but if we think of this morning as somewhat top-down, this afternoon is really bottom-up, the point being that we do live in a society and in communities of diverse values and perspectives; and it's going to be a real challenge, as it is for policy makers as well, to arrive at some kind of coherent means of grappling with the different values and perspectives that people have. These are questions that governments of all persuasions have to address day in and day out living in the communities and the country that we do. And it's something that the governments and the board, First Nations Government, the Territorial

Government, and the board are going to be grappling with respect to how to recognize this diversity of values, how to respect them, and how to accommodate them in the work of environmental assessment, and in particular, with regard to socio-economic effects assessment. We've heard a lot about how important participation of people in communities is in establishing significance of effects and determining significance of effects.

So, this first talk this afternoon, we're very fortunate to have with us a former premier of the Yukon, who was involved in an initiative called "Yukon 2000" going back almost 20 years ago. It was a really unique exercise. I'm not going to tell you about it because he will, but there is a lot to learn and reflect upon with that particular initiative. I'll just say about that initiative that it was a Yukon initiative, but it was an initiative that had great recognition across the country in the way that a government tried to involve the citizens of its jurisdiction in a grass roots exercise to define a long-term vision for the future of that society, and it was really compelling in that regard.

Since then, Tony Penikett has gone on to senior positions in government in Saskatchewan and in British Columbia. And now, he is in a consulting practice where, among other things, he is a writer of a number of books, some of which are coming to print very soon. But also, he's been involved in mediation, labour negotiations, and so on. So, his practice is very broad.

He comes with a lot of experience, and I think this next talk will be one of great interest to all of us, in that it's an event that happened many years ago. Some people still recall it, but for those who don't, you'll hear about it. But it's also a chance, 20 years later, to reflect back on this whole idea of durability. Here was an initiative. It brought people together. They arrived at a vision. How has that vision stood up? Did it last the term of a government, or has it gone on to hold up over a period of successive governments and administrations?

So, with that, please welcome Tony Penikett.

15.0 Diverse Public Values and Common Vision: Yukon 2000 Revisited - Tony Penikett

TONY PENIKETT: Thank you, Lindsay. I don't do many speeches any more. So, no matter how hot the room gets, if people start to leave, I will ask them to close the doors. I also want to say that there's nothing guaranteed to make you feel old more than being asked to come back to your home town and talk about something you did 20 years ago. But I welcome the opportunity and thank you for that.

The Yukon 2000 process, some people argue, produced Canada's first sustainable development strategy. Like the Yukon land claims settlement, it was the parent of the Yukon Territory's Development Assessment Process. If the

treaty was the father of DAP, Yukon 2000 was, in a sense, the mother. Yukon 2000 was a process that gave birth both to the Yukon economic strategy and to the conservation strategy. Together, these two strategies reflect many of the values contained in the 1986 Bruntland Commission's "Our Common Future." But the Yukon's strategy was not a copy of the United Nations' exercise; rather, remarkably, it emerged from a purely local economic planning project.

Yukon 2000 was an invention of necessity. When the New Democratic Party came to power in 1985, all the major mines in the Territory were shut, the economy was stalled, several thousand jobs had been lost; and, as well, aboriginal land claims had collapsed not long before. And I think that the community was, in a sense, divided both socially and politically.

As you all know, the Yukon has a notoriously weak, leaky, even colonial economy, with mining, tourism and government contributing most of the jobs for the Territory's population. That's the history.

To address the economic crisis and the attendant social malaise, the new government knew it needed to somehow involve the whole community in responding to the challenge; but beyond that realization, the cabinet began with very few preconceptions. Everyone accepted that planning a coordinated response made sense. But we had not even began to think through the basic question as to who should do the planning. Now, planning in this Territory had always been done by someone else: by Federal bureaucrats in Ottawa or mining company executives in Toronto or New York.

But, as you all know, to govern is to choose; and given a choice between repeating that history of being on the receiving end of planning or the other option of doing it yourselves, the answer eventually became obvious. As politicians of the democratic left, who had come of age in the '60's, the new ministers saw that we had a choice between the old fashioned kind of top-down planning and the bottom-up kind, of which at the time, there were few, if any, examples.

Now, back in the '30's, my party's founders, naïvely perhaps, talked about planning the national economy with a committee of three economists, two sociologists, and a statistician. Now, although we in the Yukon might easily have assembled such a committee, my colleagues quickly realized that such a group could not carry out a project like this. With no university handy and precious few resident experts, we decided instead to make a virtue of necessity and rely on the common sense of the Yukon public. Some of our advisors feared that democratic planning might prove to be a contradiction in terms; but once our government resolved to mind the popular wisdom, we never had a second thought about the correctness of this decision.

The process itself we called "Yukon 2000". It worked towards a broad consensus through a series of public conferences, dozens of workshops involving players in each of our key economic sectors, many, many community meetings, each fuelled with background papers supplied by consultants and public servants. The Yukon 2000 consultation continued for more than two years.

The resulting reports included the Yukon Economic Strategy, the centrepiece of our commitment to sustainability, and a complimentary public process that rendered the Yukon Conservation Strategy, which led in turn to the *Yukon Environment Act*. But, that was not all. The Yukon 2000 process and the commitments contained in the Economic and Conservation Strategies influenced several other policy initiatives such as the new *Education Act* that fostered community schools and a *Health Act* that recognized traditional healing, promoted preventative medicine, and sought to integrate environmental, social, and health planning.

The Yukon 2000 process and the land claims negotiations with the Territory's 14 First Nations ran on parallel tracks for two years and influenced each other immeasurably. Several provisions in the land claims agreements enshrined sustainable development values. The Wild Life Management Accords, for example, established conservation and co-management between aboriginal and public governments as the first principles of fish and game administration in the Yukon. As mentioned, the development assessment process was born, both of the Yukon 2000 discussions and the land claims agreements.

Now, the government of the day hoped that DAP would ensure that people in affected settlements had a voice in future development decisions. And, as I mentioned, in an almost forgotten provision of the land claims settlement, the legislation itself guarantees aboriginal citizens one-quarter in the conference seats of the mandatory annual reviews of the Yukon Economic and Conservation Strategies.

Now, going back to the process in 1985 and '86, I remember that at the Faro Conference, the first of the major conferences in the Yukon 2000 process, participants came together and after much discussion, articulated four broad goals for the Economic Strategy. They were: one, the option to stay in the Territory; two, more local control of our future; three, maintaining our quality of life and natural environment; and four, greater social equality.

Many months later, after hundreds more meetings and the publication of dozens of interim reports, these goals had been translated into fairly coherent economic, conservation and political strategies, largely focused in the economic sector on diversification.

When Gro Harlem Bruntland's Report appeared from the United Nations, Yukoners recognized that much of our thinking meshed perfectly with the ideas

of sustainable development articulated in our common future. That our isolated little community anticipated Bruntland in such interesting ways showed, perhaps, how small the world had become.

The political dimensions of the Yukon 2000 process deserve some comment. From the beginning, our cabinet agreed to deal only with issues in our domain and not to waste much energy fretting about matters beyond our control, like world metal prices and international trade negotiations. Jim McNeil, the secretary of the Bruntland Commission, once famously said, “that in developing a strategy of sustainability, the process is in a sense the product.” That’s true. It’s also true that the question of who participates hugely influences the outcome.

Previous economic consultations in our experience involved only business interests, the government, and sometimes organized labour. Had we limited our consultation to the traditional partners, the result would likely have been a fairly conventional economic program. The seriousness of our situation at the time demanded that we reach out a little more. Now, at the time, half of my party’s caucus were aboriginal people.

Our government also enjoyed some support from women’s groups and the environmental movement. So, naturally, we insisted that First Nations, women’s organizations, the environmental organizations had to be represented from the start. And after some hesitation, I admit frankly, we decided to invite participation from opposition politicians. As the process went on, municipal, youth and elders’ organizations also demanded inclusion.

As a result of this broad-based participation, some conventional definitions of economics got turned on their head. The minute we tried to fence in the discussion to purely economic considerations, women participants in particular knocked down the posts. When organizers suggested, for example, that childcare should be considered a matter of social, not economic, policy, women argued the opposite point of view. When facilitators asked if the meetings could postpone the topic of training to some future consultation, participants responded that as a critical economic issue, it ought to be discussed immediately. What about health or the environment? The economic side of these questions had to be surveyed as well.

As university-educated young politicians, we tended to believe that good policy came from good research; but we found that economic indicators used in our background papers sometimes confused, rather than enlightened people. The Yukon Government has an excellent statistics branch, and its officials worked hard to display economic data on large coloured charts and graphs around the Yukon 2000 meeting rooms. However, we soon discovered that their value was largely decorative. Community participants quickly pointed out that the displays on the wall simply didn’t describe economic realities as ordinary people experienced them. For example, the statisticians’ description of discrete

economic sectors, such as forestry and manufacturing made no sense either to the logger or the sawyer.

For the statistician, logging was forestry, saw-milling was manufacturing. For the residents of Watson Lake, they both seemed part of one and the same sector. As they studied the pie charts and bar graphs on the walls, conference delegates began to complain about other things the statistical picture missed. Aboriginal participants pointed out that the charts placed no value on the subsistence economy, a major part of the lives of many rural families. Nor was there any accounting of other things the community valued, such as clean air, sports fishing, the work of volunteers or women in the home.

Only later when Marilyn Waring published "*If Women Counted*" did we begin to understand the statistical gap. And later we invited Waring to visit the Territory and to meet with our statisticians; and as I'm sure you all know, Canada has since developed a set of supplemental statistical accounts to take account of some of these things.

The more we talked through the Yukon 2000 process, the more we realized the need to incorporate traditional knowledge about matters such as wildlife and habitat protection. We had to listen to both the professional biologists and the aboriginal elders. Agreement on this point marked an important point of maturation for our discussions. I think that this is commonplace now, but it was not so 20 years ago.

The external cacophony of day-to-day politics sometimes intruded into the process. Because Yukon 2000 represented a break from government as usual, we had to learn to separate the legislative brawls, the kind of antics of question period and so forth, from the consensus-building exercise that we hoped this consultation would become; and having decided to proceed on the basis of agreement rather than disagreement, we set aside issues around which public debate had already become polarized. If any issue became too controversial in the Yukon 2000 discussions, we tended to banish it back to the legislature.

So, the focus on agreement, rather than disagreement, proved to be a radical innovation. The negativity of traditional politics, the stuff of headlines and parliamentary questions, had so numbed many citizens here that they had forgotten any alternative. However, as the Yukon 2000 process proceeded, more and more people, it seemed to me, became attracted to the idea of just sitting and talking with others about common concerns. In a Territory where the aboriginal tradition of consensus politics lives on, this constructive and sensible form of communication seemed quite natural and refreshing. Indeed, after a while, the verbal violence of parliamentary debate seemed to be a perversion to some, rather than the norm.

As much as anybody, the press at first found it hard to adjust to this kind of discussion. At our first big meeting, participants achieved a very high degree of consensus on some broad points. Everyone, whether they were from the trade unions or the women's groups, the aboriginal community, or Chambers of Commerce, subscribed to a great extent to our over-arching goals. But two dissenters from one group grabbed all the headlines out of that discussion.

The media's rule is everywhere, then and now, "No conflict, no story!" That changed as time passed, but the press and the citizen participants in the process both had to learn how to work with each other. The media eventually gained access to all the meetings on the condition that they could quote anyone but not identify them without permission. Subsequently, local newspapers here provided thoughtful coverage of the process.

In many ways that we had never quite intended, the Yukon 2000 exercise became a useful meeting ground for the various opinion leaders in our community. It also helped de-colonize many relationships. In the '70's, groups in the Northern Territories often seemed to deal with conflicts by dispatching them for resolution to our Great White Father in Ottawa, the Minister of Indian and Northern Affairs. Home-grown conflict resolution was rediscovered in the Canadian North over the last generation, largely, I think, as a result of land claims negotiations and federal program devolution, but also because of consultations like Yukon 2000.

Along the way in the process, Yukoners even discovered some surprising things about ourselves. For example, in a few communities, people from the municipal council had never ever talked in depth with councillors from the neighbouring First Nation. In mining towns, management and labour had often not met except to bargain for wages or to settle a strike. Parts of the community met, it seemed, only in times of conflict or crisis. They had few opportunities to discuss common goals or shared values. From this perspective, Yukon 2000 also became, I think, a tool for community development.

Because government has since the Goldrush played a major role in the Yukon economy, our cabinet's role in the Yukon 2000 process eventually, naturally perhaps, became a subject for some criticism. So, having completed the first step and published the Yukon Economic Strategy, when the consultations around the Conservation Strategy were due, we delegated the task to an independent public body, representing a variety of stakeholders, and that process worked far better than we expected.

The roundtable, that practice, that metaphor that symbolizes the Bruntland approach to resolving disputes between developers and environmentalists, is now commonplace. It is an idea know around the world. Our roundtable, the first Council on the Economy and the Environment, which was established after this

process completed, included very disparate points of view. But it did a superb job of achieving consensus on a number of difficult issues.

By law, our government had tried to ensure that in future a range of democratic representative entities would nominate the members so that in future the council would always include a balance of interests. We feared that with the alternative traditional patronage appointments, the body might operate simply as an echo chamber for the government of the day.

The sustainability of the roundtable idea itself necessarily involves the sharing of power by all the players, not just industry and labour, but also government officials, as well as the elected people. And let us admit, for politicians there are great risks in this. There are risks for everybody with clout, but in my view, they can be worth it. In the late ‘80’s, I think we thought that roundtables might yet contribute to a restoration of a faith in the system which too many people had felt completely powerless. I think that hope is not so strong now, but we felt it very definitely then.

Any government anywhere contemplating a consensus-building exercise or democratic approach to sustainable economics should approach the work with an open mind. Our government learned an enormous amount from the Yukon 2000 process, from the people in the community; and we constantly had to adjust our plans, even our view of the world, as the consultation proceeded. As social democrats, we had always officially been committed to the goal, the idea of full employment. However, Yukoners taught us that if full employment meant 9:00-to-5:00 industrial jobs for the rest of their lives, they didn’t want that. What they wanted instead was an opportunity to be fully employed. That might mean working part of the year in a subsistence economy, a few months in construction or a part-time job, or perhaps with some time off from a full-time job for child rearing, crafts, cross-country skiing, fishing, hiking or a very significant hobby.

As social democrats we had always has preconceived ideas about the mixed economy, about the desirability of it. But Yukon 2000 taught us that what our community valued was a mix of economies, not just a coupling of the public and private sectors, but rather a mixture of mining and tourism and government, Territorial and First Nation, living side by side with a subsistence economy, home- based occupations, the volunteer sector and emerging renewable resource-based industries.

Of the hundreds of recommendations for diversification contained in the Yukon Strategy, many had been implemented by the time we left office. And yet, of course, the decades old problems of resource dependencies, booms and busts, remain with rural and remote areas here and in other similar areas across the Canadian landscape. And any hope that we might have had that the Yukon 2000 process might have permanently changed the economic arrangements of the Territory did not, of course, survive a change in government.

With the Yukon 2000 planning process and the sustainable economy and conservation strategies, we tried to show that government could listen and could learn from its citizens. The trick of course, is to keep doing it, to continue the dialogue; and that's a lesson in sustainability few politicians ever learn.

Regardless, I think is extraordinarily important to note that not just the Yukon but the Canadian north generally, has been a leader in promoting sustainability. The James Bay and Northern Quebec Agreement, the Inuvialuit Final Agreement, the Gwitch'in, Sahtu, Nunavut and Yukon settlements, land claim settlements, are each, in their own way, quite distinctive. However, all these recent treaties have one thing in common: That is an implicit or explicit commitment to sustainable development.

The Bruntland Report, which first articulated the concept has obviously influenced Canadian public opinion. Sustainable development or sustainability or the balancing of environmental and economic considerations has become an extremely popular idea. But it is worth noting that the only place or the one place that these principles have found expression in the Canadian Constitution, much less Canadian Law, is in the land claims treaties worked out over the last few decades with northern aboriginal groups, such as Yukon First Nations.

Now, I remain a fan of roundtable processes, but there are problems of inequalities of power and disequilibriums in the process that we have to wrestle with. Of course, in the most famous roundtable of all, King Arthur's, there was only one vote, one decision-maker, and that was the king. Nonetheless, I learned a lot from the Yukon 2000 process, and occasionally, I've had the opportunity to reflect on it, as in the last couple of years, I spent some of my time as the Senior Fellow at Simon Fraser University's Centre for Dialogue. And, at the Centre for Dialogue, the mediators who work there have a way of thinking about problems. They always talk about "you always need a process that fits the problem. You cannot have generic processes. You need to design the process for the problem." And from this distance, and with that in mind, the Yukon 2000 process now seems to me like an early exercise in dialogue or active listening, an emerging form of conflict resolution in many parts of the world.

Likewise, the consensus-building processes of Yukon 2000, the refreshing non-partisan exercise of building upon agreement rather than disagreement, I think, was very much inspired by the same kind of impulse that informed the Citizen's Assembly of British Columbia's recent recommendations for addressing their democratic deficits in electoral form. As Einstein once said, "Very few problems can be solved by the thinking that created them."

Now, since the implementing of the Development Assessment Process, the processes that you are discussing here, has been a struggle for a number of years, I thought that I would close with a confessional story. This is a time for me

to accept some blame. Many years ago, after this process was complete, Doug MacArthur, who was then Deputy Minister of Executive Council, and I had flown to Ottawa for an all-night negotiating session to complete the Yukon land claims settlement. At this point, MacArthur was also taking over from Barry Stuart as the leader of Yukon's negotiating team. After an all-night session that finally brought a settlement, the three of us met early in the morning for a debriefing. Now, I had heard, and I was afraid, that without any adult supervision, three lawyers had been left alone in a hotel room to draft the Development Assessment Chapter. My concern was that our cabinet had given absolutely clear drafting instructions on the chapter, one of the rare occasions when that happens. YTG then had a vision of a development assessment process that integrated a wide variety of existing government processes, that was structurally appropriate to the small size of the Yukon community, that guaranteed communities a critical voice in development decisions, but that also ensured expeditious decisions for developers and had the capacity to create technical committees to examine questions of fact or research.

So, mindful of our Cabinet's instructions, I asked Barry Stuart, "How long is the development assessment chapter:"

"Seventeen pages," he said.

"Oh my God," I replied. "I suppose we are going to have some kind of Rube Goldberg machine here."

"Don't worry about it, Minister," Barry said. Now, I should explain: He only calls me Minister when he knew I was mad. "Don't worry about it Minister," he said, "these things never work anyway."

To which statement, Doug MacArthur quickly added, "And what's more, we are now going to lock it into the Constitution."

Now, that is a small reminder that great care needs to be taken with any decision that has long-term implications. What you're embarking on here is a discussion about extremely important work for the future of the Yukon. In a small way, I think the Yukon 2000 process, as I said, was one of the parents of this process. I think that the Yukon 2000 process, for most people in the room, if they ever knew about it, has been largely forgotten. But I think it was a moment, a process, which Yukoners tried to come together to articulate a coordinated vision about how to deal with these great challenges; and of course, everybody that faces every major development in the years to come will also have to achieve the same kind of unity of view if they can.

So, on that point, I'll say thank you. Thank you for the invitation and thank you for listening.

15.1 Comments and Questions - Diverse Public Values and Common Vision: Yukon 2000 Revisited

LINDSAY STAPLES: We'll take one or two questions if anyone would like to put a question at this point to Tony.

IAN ROBERTSON: Ian Robertson, Inukshuk Planning and Development, Yukon Land Use Planning Council; Tony, you made the point about the continuity and the difficulty of allowing the sort of Yukon 2000 exercise to continue after the term of your government. And I would be interested to know, now you are in opposition, you have a government that at that time just could not see the essence of the vision. Looking back, what would you do differently, given that you're now in opposition and you are trying to encourage a new government to continue a process that was "state of the art?

TONY PENIKETT: It is a very big question. In a small way, we tried to do some things. The Land Claims Agreement, people who read it carefully will notice that it was contemplated the Yukon Economic Strategy would have annual reviews, perhaps taking a chapter at a time, one year dealing with forestry, another year with fishery. Whoever was in government in future would certainly have their hands on that, would be able to steer that process; but it was intended that it would be one that would involve the people in the community in those decisions and that it would be an organic process, that it would continue to be changed as circumstances changed, as time changed and so forth.

We tried, I think, and failed to entrench the mechanics of it, or the commitment to particularly the aboriginal minority here in the Land Claims Settlement so that the Land Claims Settlement is clear that there should be annual reviews and they were guaranteed a quarter of the seats. How can I put this kindly? I think the subsequent government interpreted that language differently than us, even thought there was some legislative debate about it.

But, I also think, to be frank, it is very hard. We are very much in -- there are people who argue that politics is about disagreement. We are very much locked into very old systems of parliamentary debate and polarity and division, both in our courts, in the media, in our legislative process; and it is extraordinarily hard to change those, to go to something different.

The Northwest Territories legislature attempts to operate on a consensus system; and to some extent, they succeed. But also, there are many ways in which that system is also characterized by the kind of partisanship and the kind of polarity that you see in every legislature everywhere else in the country. So, it is very hard to change.

I think, in order to continue this kind of process, which is very much what we do at the Centre of Dialogue, you need to have the will, the political will on all sides.

You have to have a public appetite for it. You have to have political leaders that on some issues are prepared to sit down and not impose their will, but to be open-minded enough, to be thoughtful enough, to engage with not only politicians of a different stripe but also with people of every perspective in the community. It is extraordinarily hard.

I think I mentioned to you earlier, the thing about the Yukon 2000 process, it sounds easy, just getting people to sit down and talk about it. It was an extraordinarily exhausting process. I mean Lindsay, who worked with me at the time I was involved, knows it was a very, very draining exercise. It was invigorating, it was exhilarating, it was exciting, it felt so good. It was the kind of politics I had always wished I would be able to do; but it was absolutely personally draining for people who were trying to actually do the thing, partly because you were always having to think, you were always having to respond. I mean I loved it, but I think, it would have been very hard to have continued to do it exactly the same way. Perhaps processes like this, in future, may work best at the community level rather than at the Territorial level. I don't know.

LYN HARTLEY: Thank you very much Tony. I'm curious, before this workshop, how many of you had heard of Yukon 2000? Can you raise your hand.

So, Tony, hey, I would say it looks like about 50 percent from here have heard about Yukon 2000. So, the question that I want you to be thinking about right now, it's on a yellow sheet, so looking for that: Based on Tony's talk, how can we ensure that a diversity of public values and interests are included in DAP? So, that's the question; 10 minutes please.

[YELLOW SHEET]

(Workshop Adjourned at 1:43 p.m.)

(Workshop Resumed at 1:51 p.m.)

LYN HARTLEY: Welcome back. So, Tony Penikett was talking about media. There has been quite a lot of media buzz about what's happening in this room the last few days. I don't know if you've noticed, but we've had all the major media here doing interviews. So, it's just interesting to note that this is getting media attention.

So, I would like if you could help me collect the yellow papers and get them to front of the room.

Great! Thank you very much. They're working their way through. And Lindsay, I'll do a tag with you.

LINDSAY STAPLES: Okay, I'd like to move on. Consistent with this theme of looking at people and communities as they relate to environmental assessment and having reflected on the Yukon 2000 experience, our next speaker, Bob Couchman, is going to be looking at the whole concept of community and development assessment. I think that many of you are aware, if you read through the *Umbrella Final Agreement* generally, in the Development Assessment Chapter, Chapter 12, there is a strong orientation to community. And we've asked Bob to talk a little bit about just what that means, what we mean by "community".

Another way, perhaps, of considering this topic is "project assessment as if people mattered". In a sense, it's bringing people into the process. Bob is really well suited to this talk. He's currently the executive director of PQR Limited. It's a national charitable foundation that works closely with people. It's an organization that works with people in the performing arts, entrepreneurial ventures and so on. He's the past president of the Donner Foundation for many years. And I think really importantly, Bob has a long history with working with families and family service organizations, of which he's worked in many capacities. So, he's a person really well suited, I think, to this topic; and with that, Bob, welcome to the podium. Please welcome Bob.

16.0 Social Perspectives & Values in Socio-economic Impact Assessment - Bob Couchman

BOB COUCHMAN: Well, it's good to be here this afternoon and also splendid to see so many friends. A few of those friends will realize that I'm very dangerous when you give me a stage. Another one of my ventures, which is not there in the summary, is I do a little acting. So, I have to watch myself that I don't slip into some very unusual roles when I get to a point like this.

I should start by saying that of all the speakers you've heard, I'm the one who probably knows the least about this particular subject. I'm not a planner. I have done some organizational reviews, but I have never planned anything in my life. Therefore, I bring a fresh perspective to this whole exercise.

I would like, in the brief time I have, to take a look at some of the key issues; and by the way, I did write a paper and it's available. But I consider the socio-economic issue basically a work in progress. So, my paper, as you can see, I have a whole bunch of changes here, which I have taken into account as I have listened over the last couple of days; and I would like to share with you a few perspectives on that.

My background, as you know, is clinical. Therefore, for most of my career, I have been on the frontline, witnessing the impact of some of the changes that do occur in planning. And I might just add that it's interesting to me, coming outside the field, that the same issues that are being applied to planning projects like mines,

roads, dams and subdivisions are the same issues which are applied to things like changing public policies or changing programs within an agency. So, they are essentially the same kind of issues faced by a number of professionals in various fields and also in the community.

Now, one of the things that I've observed, too, is the complexity. You know, I thought I knew something about this subject yesterday when I came here for the first time. I knew that I didn't know a great deal, but I thought I knew something; and by this point, I'm realizing that I'm quite overwhelmed by the detail of planning in various aspects. It reminds me, as somebody at my table was saying, that common sense is a critical element in looking at these details.

Now, my background academically is philosophy. Therefore, I look at Voltaire, the French philosopher, who is credited with developing rational systems of thinking; and the first civil service, in the world as we know it today, was within the French civil service system, and they had a very rational, logical system of developing their public policies. The one thing that Voltaire insisted upon, after you went through this rational process of figuring everything out, he asked the question, "Does this make sense?" And if the answer was "No", then there was something wrong with the thinking, and therefore, you had to go back and look at this again.

So, I would like to stress, as we look at the application of the socio-economic effects, that we ask ourselves, "Does this make sense?" I imagine if we engaged in a dialogue and I asked you about all of the situations in planning that you've seen go off the track, you would find, in a good number of them, that it was very apparent that from the outset or soon into the process, it didn't make sense.

Now, when I first came to this area, I was trying to think back, when was it that I began to think about social and economic impacts? When did it occur to me that there were such things? And oddly enough, I tracked back in my memory to when I was about 21 or 22 years of age, and I was off on a solo cross-country winter, not expedition. I was camping out but I was on skis in Algonquin Park. And, it was pristine, in the middle of winter, everything covered with snow. It was quiet, it was a beautiful day, about minus 20, and then I heard some sawing and chopping going on. So, I skied towards where this sound was; and when I came into this setting, I found a group of men between 70 and 80 years of age, and they were building a logging camp. I thought, "How strange," because I know logging camps are now prefabricated and there is no problem putting them up. Certainly, those who put them up are not between 70 and 80 years of age. Well, it turned out that they were building the Algonquin Park Logging Museum, and they were re-creating the museum. So, they said, "Come and have a cup of coffee and sit down with us." And I thought, "Just great, I'll talk to these old-timers about building this logging camp."

So, I said, "All of you guys were living at camps like that. What was it like?"

“Ah, it was awful. You know, we were away from home for five months. We didn’t get out of here. The tensions were so high in the logging camp that one of the rules was you did not talk at meals. You couldn’t talk at meals. And the chef, or the cook was the biggest and strongest guy in the camp; and he was selected, not because he could cook, but because he could keep order.”

Well, a few years later, I ran into a Catholic priest, whose father had been in one of these lumber camps, and he had been at home with his mother and five brothers and sisters for this five months during the winter; and he described to me what that was like being alone and not having your father there. How on one occasion they ran out of food, and so they got a local farmer to come and slaughter one of their cows; and they hung the cow in the barn and the wolves smelled it, and that night there was a flock of wolves around their house, and the mother barricaded the door with all the furniture because she was afraid the wolves would break in.

You know, you listen to human stories like that, and you begin to get some sense of just what impact a project can have upon people’s lives. In this instance, you know, there wasn’t a great deal of planning or thought going into the social and economic impact during this particular period of the 1920’s and 1930’s.

We begin to realize, of course, that every project that we look at, and this has been repeated over and over, so I won’t go into a lot of detail, they have their benefits. You wouldn’t do a project if it didn’t have some sort of benefit, either social or economic; but they’re never pure. They also have their consequences.

You know, take for example Thomas Berger’s mentioning of the dam in India. That was a clear example. Here you can bring irrigation, hydroelectricity to a society that really needs hydroelectric energy and irrigation; and yet, you negatively impact on thousands, tens of thousands of people. You build a freeway through a city, which we used to do 50 years ago and you cut off communities. So, you ghettoize communities. Even sometimes, the most innocuous change has its social impact.

One of the projects I funded while I was at the Donner Foundation was a project at Laurier University. Professor Ken Banks was looking at the community of Galt, and he wanted to see what was the social cohesion of Galt and had it been a community that was more closely knit than it was now. And the conclusion on the part of everyone was no, the community was not as socially cohesive as it use to be. Okay, what was the factor? What caused this? Well, every person that Ken spoke to who was amongst the older generation, they said it all occurred in 1978. 1978, like what happened in 1978? Well, finally it came out. That was the year they closed the central post office. Up to that point, everyone in town congregated at the post office at certain times of the day; and when they came there, they chatted, they knew what was going on, they socialized. You

know, if Mrs. Jenkins hadn't shown up for two or three days, and she's 85 years of age and suffers from arthritis, well, somebody had better drop by her place on the way home. And they would do that. And the sense was, even in that little situation, which was progress, because if you live in Whitehorse, boy, having door-to-door mail is a real benefit. But even that wasn't as clear a benefit as we might expect it to be.

Now, over and over again, people have grappled with this whole socio-economic, especially the social side of this. And as we can see, it has a lot of feeling, and it's qualitative as well as quantitative. And we say to ourselves, "Well, how do we pin this down, what are we really looking at here?" Well, what we're looking at is a healthy community. You may say, 'Well that's pretty amorphous, a healthy community! What do you mean by a healthy community?"

Well, there is a whole area of research and community development work in Canada now. It's been going on for about 15 years. It's called the "Healthy Community Program." Now its the biggest adherents are in the Province of Quebec, and the Quebec Government has an office set up on healthy communities. Well, when you look at a healthy community, of course, your mind goes to it has to be economically viable, people have to be healthy within that community, there has to be social cohesion, crime rates and problems have to be low; and that's probably a healthy community.

Well, Doctor J. Fraser Mustard, who for a time was president of the Canadian Institute for Advanced Research out of Toronto, he and his colleagues did a considerable amount of work on what constitutes a healthy community; and they built upon the determinants of health. And we have a speaker tomorrow who is going to look at the determinants of health. The answer came out loud and clear, over and over and over again. A healthy community has two variables. One, it's economically productive. And two, it has a strong sense of reciprocal obligation. In other words, people look after one another. People are involved, and people look after one another.

Now, we start looking at how we are approaching the building of healthy communities, particularly when it comes to change and projects and our assessment thereof. We find, as a number of speakers have said, that we have these silos and the planners are in various silos. We have here today got engineers, we've got environmentalists, we've probably got an architect or two, we've certainly got business, we've got social service workers; but each compartment likes to think of planning with its own parameters, and we're trained that way.

I'm reminded a bit of the history of philosophy. Philosophy was a single discipline, and then, in the nineteenth century, you got economics growing out of philosophy, sociology, anthropology, psychology. So, all of these disciplines, which went into more detail in their areas, grew out of philosophy; and what we

have is we've lost that sort of cohesiveness, which philosophy used to provide to thinking and planning. And of course, the same can be true as we get planners and they get more and more into their particular areas and, of course, they develop their own languages professionally, especially if they are academics. They have a whole field of words that mean a great deal to themselves and to their colleagues but are a little hard for normal folks to understand.

Well, this specialization, as we've talked about it, what we seem to be saying now is what we've got to add to this specialization is a group that knows something about social impact and social effects on change, and we've had a couple of speakers who do this. Patt, for example, does this professionally and does it very well from what I can understand from her work and talking with her. But the question in my mind is: Is this yet one more stovepipe that is going to sort of segregate our various thoughts in planning?

Now, I could ask you -- you are all here because you are professionals, but you also have one other thing in common. It doesn't matter what type of professional you are. You live in a community. Most of you live here in Whitehorse. Your parents, your husbands, your wives, your family members and everything that happens in our community here in Whitehorse or in Watson Lake or in Haines Junction affects us as people. So, as we start looking at these planning processes, if I'm an engineer, for example, I'm also a resident of my community. I've got a family, and I can see what impact things are making on my community, and it's inherent within ourselves as both professionals and people, that we be sensitive to the social impact of an economic impact of changes in our community. So, I would urge that we look to a more integrated approach to this. I'd be worried if the social impact people were the specialists in this area and everyone else forgot about this. I don't think that will happen, because the legislation is clearly pointing towards an integrative system.

Now, I was young once, many, many years ago. You notice I don't have any, what do you call it, Power Point here. Tony Penikett and Thomas Berger, you know, we're probably the only ones who haven't used Power Point; and there is a reason for that, but I won't go into that now. But there was a time, as a young worker, working in the field of social services that I believed I had all the answers about the health and vitality of a community. It was clear. If you are talking about the health of a community, it had to do with the healthcare services, and it had to do with the social agencies like Family Services. It had to do with the welfare system. It had to do with home care and a whole bunch of other services that went into the community. If you have these in your community, your community will be healthy. That was my belief.

Now I look back. I've been on the Ministerial Advisory Council on Rural Health for the Federal Government, representing the Yukon. And I look back now, and I think to myself: If that is true, Yukon has the highest ratio of social workers and medical personnel per capita in the country. We have extremely fine social

benefits here. Therefore, the Yukon ought to be the healthiest community, the healthiest territory in Canada. Well, this is not the case. In fact, the Yukon and the Northwest Territories and Nunavut stand at the bottom of the national averages for healthy areas. In fact, here in the Yukon, the mortality rates are such that puts us well below the national average.

Now before you start worrying, thinking oh my God, the average Yukon woman lives nine years less than the average Canadian woman and the average male lives seven years less, you think, God, maybe I'd better move out of the Territory! Let me assure you that most of you are going to live the national average, but this suggests to me that there are elements within our communities that are even in worse shape than we think they are when we just look at these averages. In fact, our situation is such that you would be healthier to be born and raised in Indonesia, Peru or Mexico than you would to be born here in Whitehorse or I should say, in the Yukon.

And yet, let's take a look at Peru. Peru: doctors per thousand: .9, Canada: 2.1; Hosptial beds: Peru: 1.5, Canada 4.2; Expenditures on Education: Peru: 3.2% of GDP, Canada: 6.9% of GDP. So, in every area that we would consider to contribute to the health and vitality of our community, we're ahead of Peru; and on the other hand, our health and well-being, is not as great as it is in Peru. This may be a little of a shock to you.

The problem is other disciplines think the same way as I used to think. Economists, for example, will say, "Ah, I love the fact, Bob, that you put economic productivity right up there. That's great, because we know that that leads to a healthy community." Well, economic productivity is probably at its best in a place like Fort McMurray. You know, everyone is employed. They have high salaries and so on, but the divorce rate in Fort McMurray is twice what it is in Newfoundland. Crime rates are higher. Alcoholism rates are higher and so on and so on. So, it doesn't look necessarily that economic productivity all by itself contributes to the health of a community.

Here's one I really like, and I think the environmentalists here will love it: It's the construction of schoolyards, playgrounds. At some point, we looked at playgrounds, and we set planning goals and we created them. Well, the planning goals, believe it or not, were the containment and surveillance of the children. That was the planning goal. And so, what we did was we levelled them off so we could see. We removed all the trees and all the shrubs, and we put the required little playground equipment over in the corner, the slide, the swings and so on. The teeter-totter, but it didn't last, because we learned that kids get their teeth knocked out on teeter-totterss, so that went. And to this day, we still create playgrounds.

By the way, the first architects of playgrounds in Ontario were the same folks that brought us the correctional institution layout, and that's true! Well, thank God

there's an organization like Evergreen Foundation that is going back and restoring playgrounds, and the PQR Foundation that I work with is giving a fair chunk of money to them. And I got a letter the other day sent to me through Evergreen from a little girl in Grade 3. Comments, quote: "It's so nice to sit under trees when it is hot. Sometimes my friends and I lie on the grass and listen and watch the leaves blowing in the wind." Now, how do you measure that?

You know, it's fairly obvious that a playground ought to be for the children. It's built for the children; and yet, we've created spaces that are not friendly to children. These by the way, are examples. I'm just trying to get you to think your heads around these things.

I want to sort of conclude with who were the thinkers out there that are contributing or have contributed to the whole idea of healthy community? One of those thinkers, many of you will be aware of is Jane Jacobs. Jane Jacobs wrote the "*Death of the Great American Cities* 1961", and she was one of the first town planners to really challenge the orthodox view of planning. She lived in New York City; and one of the things she observed in the low rise tenements, which were not in that a great shape, is that everyone sat out in the summertime on their porches and on their fire escapes, and they saw what was going on in the street, and there was a social control there that no one recognized. So, in come the bulldozers and they tear all of that down, and they build these 25 and 30-storey tenement houses and space -- no balconies, of course. Green grass all around, because you have to have the required amount of green space and the odd tree here and there. And all hell breaks loose.

Well, Jane realized that healthy communities depended a great deal on proper planning. She, by the way, moved from New York City to the Annex District of Toronto, because that resembled what she really thought was an ideal situation. I did meet Jane at one conference. It was actually a small workshop. And I didn't know who she was. She's just a little old lady, you know. She's about 85 years of age, and I got into an argument. I seldom get into arguments with people, but I got into an argument with this little old lady; and within minutes, she just cut me to pieces. And I sat back and I thought, "Wow, what a mind."

Then afterwards she came up and introduced herself, and she said: "Oh, I'm Jane Jacobs. I've been thinking, one of the points you just gave me, you know, and I think that you're right. I think you've got something there that I hadn't thought of."

And I thought to myself, you know, what we need are people like that who are prepared to learn, to listen and to learn. That's why I like to think that the socio-economic impact studies, or efforts, is a work in progress; because we really, really need to listen to one another.

Another of the thinkers who has contributed to this is a chap by the name of Robert Putnam. And, he wrote a famous essay called, "*Bowling Alone*." Many people may be familiar with that. But it looked at American civil society. And his original work was called "*Making Democracy Work*", which was 1993 I believe. He went to Italy to study Italian culture to find out what healthy communities in Italy looked like; and he discovered that the North of Italy was very cohesive communities, very cohesive society, very productive, the economy was high, people were involved. And then, he looked at Sicily and Naples in the south of Italy, and he found the opposite was true. He said, "Why this difference?" And the thing he found was everyone, not everyone, but the majority of people in the north were involved somehow. They were involved on football teams, choirs, various clubs and organizations. They volunteered. They were civic-minded, very much like Whitehorse. If you think about Whitehorse, I imagine every one of you is probably doing two, perhaps three voluntary things on the side. So, you know what I'm speaking about. Well, in the south of Italy, in Sicily and Naples, he then tracked back to the Norman Invasion. And the Normans were a threat to the local populace. So, they controlled everything with an iron hand. So, the communities pulled in together or families pulled in together. I shouldn't say "communities", because you couldn't trust anyone outside your immediate family, your kinship group. And one of the social institutions that grew out of that close-knit family kinship was something called the "Mafia". And to this day, there's that dynamic within that culture that it's hard for Sicilians to go outside their family to the local community. Whereas if you live up in Milan in the north, like ourselves, we think of community as a much broader situation.

Finally, one of my favourite thinkers on this was a chap, now long gone, called Fritz Schumacher, who wrote something called "*Small is Beautiful*." Fritz was an economist, God bless him. Listen to what Fritz Schumacher said. Think about this carefully: "If the nature of change is such that nothing is left to fathers to teach their sons, or sons to accept from their fathers, family life collapses. The life, work and happiness of societies depend on certain psychological factors, which are infinitely precious and highly vulnerable. Social cohesion, cooperation, respect, courage in face of adversity and the ability to bear hardship, all of this disintegrates and disappears when these psychological structures are gravely damaged. A man is destroyed by an inner conviction of uselessness."

That's an economist talking, no hard data, looking at what he could see as part of the problem of the economic society; and I would suggest that if we look at that particular -- I don't know, is Ed Schultz still here? Ed and I, a couple of years ago, talked, and Ed said: "You know if I could do one thing, it would be to improve the economy of the communities of the Yukon and get people back to work." I might add by the way, this was written in 1974. So, today it's not just fathers but mothers would be there, as well.

We really do need to look, as we're doing our planning, at what the impact will be on the local economy. The two of them are so tied together, I can't segregate

them. I can't say, "This is social effects and this over here is economic effects." Because what we're talking about is community. It's not the infrastructure, the sewers and the roads. It's not the geography of the community. It's not necessarily the basic economy. We're talking that a community is people, and people matter, and we're people. So, whenever we sit down to consider this theme, I think we have to ask ourselves: As people does this make sense?

Thank you.

16.1 Comments and Questions - Social Perspectives & Values in Socio-economic Impact Assessment

LINDSAY STAPLES: We'll take a question or two from Bob if anyone has a question.

KIM HARDY: Hi. My name is Kim Hardy, and I'm doing a Masters in Community Economic Development; and when I tell people that here, they all go: "Oh wow, that must be so pertinent to you." And it's fascinating and I understand how it is somewhat, but when we are talking about community economic development, I'm just wondering what aspect, or if there is an aspect of YESAA that can help local economic development. I mean, it's important to have local participation and assessment -- maybe it's a question for somebody on the board -- but I'm just wondering if any of this information can be for communities for their own development?

BOB COUCHMAN: Well, I can't speak as a planner, but it obviously flows from what I've said, that if there is a major project like a pipeline or a mine going in near a community, there have to be economic benefits to those people. It can't be folks who are trained who fly in from some other place, or this is of great benefit to the mining company down in Vancouver. I mean, those are all good things; but we must think when we do this work, that we're looking after the well-being of the people in the direct area in which this project is placed, and that's pretty important. And I sense that coming out from a number of speakers and from the legislation as it's now set. But I think you're right, I think some of the folks on the board might better answer that question.

LINDSAY STAPLES: Well, thanks again, Bob. With that we're going to just do, I guess 10 minutes in the small groups, and then, we'll take a coffee break, Lyn?

LYN HARTLEY: Yes, and so looking for the green, and the question we have for you is: What important aspects of community does socio-economics assessment need to consider? So 10 minutes on that question, please. Thank you.

[GREEN SHEET]

(Workshop Adjourned at 2:30 p.m.)

(Workshop Resumed at 2:40 p.m.)

LYN HARTLEY: And now bring the green sheets to the front of the room; and as you can see, we have a new stage up front. We're going to take a break, and if you can be back here at three o'clock, we will have the First Nations Panel. So, if that group could come to the front please. Three o'clock, we're back in here.

(Workshop Adjourned at 2:42 p.m.)

(Workshop Resumed at 3:00 p.m.)

17.0 First Nations' Community Values and Perspectives in Impact Assessment - Panel Discussion

LINDSAY STAPLES: Okay, welcome back everyone. I'd like to begin this next panel, which is the First Nations Panel and community values and perspectives in impact assessment. And I think one of the things we've talked about over the last few days is it's well understood that the legislation is a partnership between governments, and as well, that there is a lot of work to do in building those partnerships, reinforcing those bridges; and I think particularly from some of the presentations, for instance Patt Larcombe's presentation from this morning, there's a recognition that we are trying to understand social and cultural systems and so on, that First Nations have, in many respects, very unique sets of values and perspectives that should inform the environmental assessment process.

These panel members here have agreed to really look at a number of questions, not any one person looking at them all; but in some cases, people are going to reflect on their past experience with respect to environmental assessment and projects that have affected their communities. Others are going to be talking about areas or questions to be thinking about, issues; in fact, even over the course of the last day-and-a-half now that, in their mind, are issues or challenges to be addressed with respect to the environment assessment process. And then as well, others are going to speak to, when we are looking at socio-economic effects assessment, what are some of the subject areas or topics that need to be recognized and addressed?

LINDSAY STAPLES: Please welcome Pearl Callaghan. Well, now you've met Pearl, and actually starting with Pearl, Pearl is the Renewable Resource Manager with the Teslin Tlingit Council.

On my immediate right is Brian MacDonald, and many of you know Brian as a practising lawyer in Whitehorse. He is a member of the Champagne & Aishihik First Nation, and he's got significant experience with the Aishihik relicensing project, so he certainly has that experience to inform this discussion here.

Lori Duncan: I think many of you know Lori. Lori is the Director of the Health and Social Commission.

And then, Clara VanBibber is the Deputy Chief of the Tr'ondek Hwech'in. Welcome, Clara.

Bill Trerice, Bill worked, in the early '90's with the Selkirk First Nation in Land and Resource Planning. He has travelled the globe and certainly brings a global perspective, not just a local perspective to these discussions, and has been involved substantively for some time in implementation of Land Claim Agreements. And with that, what we thought we would do is essentially give…

Oh sorry, Dan Cresswell. Dan, I can't imagine why I would have forgotten you. Bill was leaning slightly forward and I kind of look down there and I didn't see the… sorry. Dan Cresswell needs no introduction. Dan has worked for quite a long time as a Resource Technician with the Carcross Tagish First Nation and, he's certainly known to many people who are involved in this Southern Lakes Caribou Recovery Program, among others. So, welcome to Dan, as well.

What we thought we would do is run a very informal panel. You've heard the questions that these people have thought about. And what we are simply going to do is just proceed from right to left and hear the comments and the perspectives that folks here have to offer up. And then, at the end of this, their suggestion was that there are other First Nations people, elders, in the audience here, and they may have some comments following the comments of the people on the stage here. And what we would like to do, if people are inclined is offer up the microphone in different parts of the room to other First Nations participants here who have perspectives or observations that they may want to add to those offered up here by the panel members. These panel members have made it really quite clear to me that what they are offering up are indeed perspectives, and they certainly don't represent the spectrum of all perspectives that are out there. So, please keep that in mind; and with that, Brian, I guess you can start the panel. Thank you.

BRIAN MACDONALD: Good afternoon, everyone. As has been said, my name is Brian MacDonald, and it has been suggested to me since I had a bit of a captive audience -- one of my part-time gigs is I have been volunteering with the Canada Games Host Society; and if you want to volunteer with the Games, you can sign up at the front table over here.

I was asked or approached this morning to actually be on this panel, so pardon me if I get distracted from my notes here, but I didn't have much time to prepare this presentation. I was asked to speak a bit on the experience in working with some members of the community of Champagne Aishihik on the process of dealing with -- speaking about the impacts and the compensation process for them in the Aishihik relicensing. And basically, with that process, I worked with basically all the individual claimants that come forward dealing with that relicensing process; and the majority of the members, we were able to negotiate settlements with the proponent before the actual relicensing hearings commenced. So, most of them we were able to deal with.

That process itself had a number of different challenges with it in trying to find ways, in working with them and talking with them, how to effectively quantify the impacts of the dam in its historical context, but also in looking forward to the future impacts of the project, on their use of that area. And quite often, the language was focused on the use of that area. It wasn't necessarily looking as much at the cultural significance or the connection they had with that area, which was very challenging for most of the applicants, because they didn't see that clear distinction, that I guess within the context of the work I do and the legal context, it's much easier to see that.

And so, it's very challenging having that dialogue with them and being able to say, "well, now we've got to put a value to this." And for them, it was about a way of life; and I'm sure that that type of discussion has occurred here, but that challenge of how to I guess compartmentalize things in a way that met the objectives or the needs of basically a legislated regulatory process with the way in which they thought about how they use that area and their connection. So, that was very much a challenge in that process.

We were able to get through it, and most people were able to find a way of reconciling those differences and were able to come to a successful settlement for themselves. The challenge was with those that weren't able to reconcile that separation. They weren't able to come to some type of clear understanding in their minds of why this different valuation was occurring and why the certain values that they had weren't considered to be priorities within this process, whereas other values that they didn't consider to be quite as important seemed to take priority in the process. So, they ended up going into the hearing process to actually speak before the board, and a number of them felt very awkward in that process. They didn't have to sit or stand in front of 300 people like this, but there was almost that many there, between the technicians, the proponent, the interveners, the lawyers, a lot of different people with a lot of different expertise in a lot of areas, specializing in dealing with board processes and administrative law processes and technical aspects, too, which for the most part were considered to be the higher values in assessing that process.

The people coming forth with their applications for compensation quite often had a different set of values on what they considered to be important in that process. And because they weren't experienced in that process, they weren't able to, in some cases, clearly articulate what those concerns were. And so, when it got to the point where they had to assess the impacts, quite often there was examples of people that couldn't remember the last time -- when they were sitting there, being asked questions, "When was the last time that you used that area?"

"I don't remember." But, after some discussion, you take a bit of a recess, you talk with them a bit more, you realize that they were just there a couple of weeks ago. But because of the pressure, their inability to -- well, not inability, but their lack of experience in that type of forum, in that type of process, made it very difficult for them to have a thought process that compartmentalized things the way that that process expected it and needed it for them to be able to do an assessment on the impacts to them.

So, quite often, what was important in the process of understanding what the impacts were wasn't able to be achieved, because the people couldn't communicate effectively in that process on what truly were the impacts to them, where their values were and why those values were important to them. So, at the end of the day, most of them, I think, felt the process didn't meet their expectations. They didn't feel that the process addressed their concerns. And so, the challenge was, after that they still felt, "Okay, my concerns have been heard but they haven't been addressed."

So, I guess the challenge and I think the process as we move forward with this, with YESAA is that I think you have a dynamic opportunity here to be able to create a process that allows those that are truly impacted by it to be able to express what those impacts are so that when you look at possible solutions to address these, to mitigate the impacts, to recognize and compensate those impacts, you don't necessarily have to look at the simple approach of saying, "We've quantified it into a value, here's your cheque, you've been compensated for the impacts, and some level of mitigation has occurred" but be able to look at creative opportunities to allow the applicants to clearly articulate what those impacts have been to them. It allows you, I think, a much more creative opportunity to identify ways of mitigating and accommodating their concerns and the impacts to them that don't necessarily just focus on money but allow them to acknowledge the connection to the culture, the connection to the way of life that, going forward, you don't have that kind of separation; so that you haven't put a value to what their culture is but that you have allowed the culture to stay at the forefront for them. Because, I think, in the process that I had, what people had a hard time reconciling was the connection that the people that came before them had to the land and where they're at and where their future generations are going to be. A cheque to them didn't acknowledge the connection that was in the past and doesn't necessarily provide them the ability to provide the same lifestyle and the same values that they had to their future generations.

So, that's my quick spiel for you. Thank you.

LINDSAY STAPLES: Pearl Callaghan, Pearl.

PEARL CALLAGHAN: Thanks, Lindsay. I couldn't even sneak in the back door here.

Anyways, this morning I was talking with Sis Van Bibber, Clara Van Bibber there, and she says, "Is the media here?"

And, I say, "Well, I see Mo McFadyen walking around."

And she says, "Well, I don't do media."

And I says, "Yeah, there will be the *Whitehorse Star* here when I go to put my half glasses on, and they will have that on the front page." And then, I asked Wanda, "Please put some tables in front of us so that we can twiddle our thumbs and quake and shiver." There we are, sitting ducks.

Anyways, as Lindsay said, my name is Pearl Callaghan. My Tlingit name is Ghanda Cleg (phonetic), and I'm a member of the Da kh-ka Clan from the Teslin Tlingit First Nation. And as Brian mentioned earlier, too, I didn't want to mention this, and I don't mean this in a negative way; but I was only asked a few days ago, too, to be a member on this panel, and I was really scrambling as to what to say at this workshop. But anyways, after stressing and panicking and everything like that, I just had to say to myself, "Calm down, relax, reflect on who you are and my life experience and what was instilled in me as a Tlingit person from my Tlingit mother, my white father, my family, and my extended Tlingit family, and the Tlingit Nation and trust that what I say is what is needed to say to you as an audience."

There were three questions, and Lindsay, I guess you said the three questions. Anyways, I'd just like to say that historically, the Teslin Tlingits have suffered socially and culturally from the environmental impacts within our traditional territory. We've had the Goldgush that we've gone through. There were impacts made on the Teslin Lake, specifically a slaughterhouse at the south end of the Teslin Lake. There was also the construction of the Alaska Highway by the American Army. They also constructed the Canol Road and the Nisutlin Bridge; and although these major projects may have benefited our people economically through the creation of a few jobs and those jobs were mainly as scouts or backpackers, the social impact was still there and it still is, and it could be more or less, depending on the times, too. But we've been impacted through disease, alcoholism, loss of our culture, language for myself, our traditions and loss of our Tlingit identity to a degree; and we're working really hard on getting this back.

We also know that as a result of the construction of the Alaska Highway and the Canol Road, we also now suffer from possible PCBs that are in our drinking water and also the disposal of a lot of these 45-gallon drums that held who-knows-what. There are old army airplanes, there's old equipment et cetera in the Nisutlin Bay, in the Teslin Lake, and Quiet Lake, just to name a few of the lakes, never mind the rivers and streams. Plus there is a lot of equipment, fuel drums et cetera that were buried on the land or they were left to sit on the land, and they were left there to rust. You know, they affect the aesthetics of the land.

Anyways we're now faced with the possibility of an oil and gas pipeline being constructed through our traditional territory; and although there was an environmental assessment done approximately 35 years ago, we believe that it warrants a new updated environmental assessment that will comply with the new YESAA legislation.

Also, in the last 10 years or so, TTC has had no real experience with environmental assessments, other than notification by other governments that an environmental assessment will be occurring in the traditional territory, at which time an employee may or may not have attended. And generally speaking, we haven't had a lot of recent development requiring environmental assessments in our traditional territory, other than small forestry operations.

There are also a few studies that were done. There was the Yukon Conservation Society that was there in 1996 in conjunction with Environment Canada. They hosted a two-day workshop dealing with environmental issues within the traditional territory and at the community level. Also, in 1996 there was the First Nations Environmental Steering Committee that was established and proceeded to develop four guidelines entitled: First Nation environmental guidelines on liquid and solid waste disposal; Guidelines for good environmental practice on drinking water in the Yukon and Northern B.C. communities; Guidelines for good environmental practice on fuel handling and storage in the Yukon and Northern B.C. communities and Guidelines for water data collection for the Yukon and Northern B.C. communities.

Anyways, the second question was: What is the scope of First Nations' values and perspectives that need to be incorporated? Our culture and heritage must be protected from development. We support economic development but only if it's sustainable, safeand in harmony with our First Nation's values and principles. And when I dashed off to the office here, a light went on, and I thought of a declaration and a charter that we passed via a resolution at our general council meeting last July, and I'd really like to highlight some of the points from the declaration. The declaration itself is a little over three pages and it's really, really, good. It's very spiritual. But just due to time, I'll just highlight it.

Declaration of the Teslin Tlingit:

“We are the Tlingit, people of the land, people of the water, people of the mountains, the forests and the wolf; people of the rivers, the lakes, the frog and the beaver; people of the eagle and the raven children. We walk below the skies of the creator in the footsteps of our ancestors. We are one spirit, one mind, one people. We follow ancient Tlingit law. Tlingit law is our identity. Under Tlingit law, each individual is a valued part of the whole community. Under Tlingit law, each person has responsibilities to the creator. Under Tlingit law, each person has responsibilities to the community. Under Tlingit law, each person has responsibilities to other individuals. Under Tlingit law, each of our leaders has responsibilities to the community;” and I’d like to read those responsibilities:

“To demonstrate responsibility to future generations, to act at all times in accordance with Tlingit law; to exercise the public trust of governance to serve the community, not to rule it; to be diligent in public responsibilities; to give sound counsel and to exercise good judgment; to set aside personal desires and make decisions in the best interests of the whole nation; to base decisions in a clear vision; to manage the Nation’s resources prudently and efficiently; and to evaluate the effect of their actions; to keep in confidence all matters entrusted to them; to never abuse the public trust by using information entrusted to them for personal gain or advantage; to conduct their personal lives without reproach as an honour to our elders, a credit to the Nation and an inspiration to our youth.”

Together our leaders are responsible to enhance the general welfare of the Tlingit:

“To promote respect for and use of our language and our culture; to safeguard our land, resources and environment; to strengthen our unity and our educational, social, economic and political development; to protect the spiritual, physical, and emotional health of our people; and to keep alive Tlingit traditions, preserving our heritage with dignity and pride for future generations. We are of one spirit, one mind, and one people. This is the declaration of the Tlingit, people of the water, people of the land.”

I think that says it all. Thank you.

LINDSAY STAPLES: The next speaker is Lori Duncan; and I kind of mangled her introduction, so, I apologize, Lori. She’s the Director of the CYFN Health Commission, and she said that she will take a second shot at reintroducing herself.

LORI DUNCAN: I asked them to put this podium up because I could hide behind. So, they did a really good job here. And I want to say that other speakers didn’t have to sit out there like that. It was really hard. I’m not used to doing this. I’m used to being behind a table and kind of directing a meeting that way. So, this is new to me.

My name is Lori Duncan, maiden name Lori Laberge. I am a member of the Ta'an Kwach'an Council. And, my mom was Irish-Scottish. My father was half Tlingit-half Southern Tuchone. I wasn't raised in a traditional setting, and I strive to try to regain that and I'll talk a little bit about that. I work at the Council of Yukon First Nations as the manager of Health and Socials Development there; and I've worked there for two-and-a-little-bit years. Before that, I have a strong background in health; and I worked over 20 years at the hospital in acute care, mostly on the children's ward. That means that I started when I was 9 years old.

So, I mostly want to focus on health; and I'm a bit out of my realm here, because most of you are not health care workers. There are a few out there that I'll look at. And when you think of health, a lot of people just think of sickness and disease; but to me, health is wellness, and health encompasses anything social, as well.

So, one of the things that has been driven into me at the Health and Social Commission, a board that meets under the Council of Yukon First Nations, is to incorporate that social part of health into there. And it's been a very difficult challenge, but it all is encompassed together.

So, I'm really glad that I was invited today to speak to you, and I'll talk a little bit about the health and what has happened with First Nations. So, traditionally health again is more wellness, and it addresses emotional, spiritual, mental and physical aspects; and that, to First Nations, is everything. And what you see right now in medical professions or in the hospital or anything like that is a focus on the physical, and it's really hard at any time to try to address the other parts of health and wellness that we want to see.

The general status of Yukon First Nation health status is much worse off than the rest of Yukoners, and the same is Canada-wide. First Nations in Canada, their health status is much, much lower or worse than the rest of Canada. And people ask, you know, "Why is that?" And there are a lot of reasons.

I'll talk a little bit about Mr. Couchman's presentation and when he talked about Fritz Schumacher when he made that quote. And I wish I had it in front of me but I don't. But when he said that, when you impose change to somebody, then it wrecks their life, basically; and I said, "You know what, he's talking about residential school." And that's what's happened to a lot of First Nation people. They've been taken right out of their element, right out of everything they know, everything they breathe; and these children have been placed in another setting that they don't know, and they weren't allowed to speak their language or do anything traditional at all. And I remember speaking to my aunt about that.

One of the reasons why I don't have a lot of traditional background is because my father wasn't allowed to speak his language, and my father wasn't allowed to do anything Indian, because it was not the way. You had to assimilate, and you

had to become white; and that's the way it was. And my aunt and my grandmother and everybody just accepted that that was the way it was, and little did they know at that time what they were really giving up, because they had no idea what was in store. They just thought that this was the new thing; this was the new life, and this is what we had to do, but they gave up everything they ever had. They had their traditions, their identity, their language, everything. And those that have more of it are the ones that are in the smaller communities that were less impacted by such development and process. And things like Pearl said: Word War II, the goldrush, the Alaska Highway, all those things; people gave up their traditional lifestyles in order to gain a way of life that is now to gain economic stature or whatever have you. And that was just sort of the way it was.

And when I was here yesterday with Ed Shultz, who is my boss, and we looked at the picture that went up there, "That's what we want to see as the Yukon," he said to me. He said, "They forgot the people." And that's what we really have to think about is those people. And I thought to myself, "And the wildlife", you know. There's that part, portion as well." You can just have the land there, but if you don't think of the people and what may affect them health-wise, what do you do?

So, when First Nations lost their identity and stuff like that, they lost ownership. Their land, everything, belonged to somebody else. The government owned them, and they had to go into housing that wasn't their own. They had to go into a certain place that wasn't their own. They gave up their rights, and this created a tremendous dependency; and with it came a lot of other things with the dependency like alcohol, drugs and that sort of thing. And goes the vicious circle. And what I see now is a lot of First Nations who are trying to regain their health, regain their dignity, their language, their culture. A lot of them have lost it. So, they're trying really hard. Through self-government and that sort of thing, they're trying to regain a lot of these things.

And even self-government, and I can attest to so many have struggled, because self-government isn't recognized for what it really is. It's another government, but it's been a really difficult challenge for them to be recognized as a government by other governments.

So, when you talk about YESAA and you talk about the partnerships, I really am glad to see that there are these equal partnerships, and I really hope that it's meaningful; because I come from a background where the health care system say "partnerships", and they don't mean it. They stamp on the preamble that they're going to incorporate culture, they're going to incorporate that sort of system of traditions and stuff, but it's never met. So, I struggle when I go to meetings nationally, into any setting, to try to say, "Well, you have to really mean this, and you have to prove it." So, this is what I want to see. I know that the process is working, it's going really good, and you have a lot of First Nations partners. The decision makers have to be at that table.

And another thing I struggle with is at the community level, so many programs in health are developed for the community; and it's Health Canada or wherever who develop the program up here that say, "Okay, I'm going to fix you. And I'm going to do this. And I'm going to do this. What's it going to take for me to do this? And then, I'm going to come and bulldoze through your community and do whatever I want anyways." But they're not consulted. I don't like that word "consulted". They're not involved in the decision-making. There is something that needs to be changed there, because who knows their community best but the community itself; and I can't stress that enough. We were sitting at our table, and the answer to everything that you have there is, '"Involve the community, engage the community, ask the community."

And your next question is going to be about First Nations, and my suggestion is, "Involve the First Nations, involve the community and First Nations, engage them." And then, there's your answer. They develop ownership. It's their program in partnership, and they can take that and it's a success; and it's not something that is taken and imposed on them. Thanks.

LINDSAY STAPLES: Thanks Lori. Clara Van Bibber is our next speaker.

CLARA VAN BIBBER: Thank you. I was asked last Friday to fill in for someone. And I was on my way actually down to Whitehorse here to pick my grandson up. So, I didn't know any details. I didn't know what I was in for. So, I've been dreading this moment all weekend and all this week, and here it is!

So, I have been asking myself, "What am I doing here?" There are many, many experts out there that can speak on this issue. Our elders are our professors, and I don't know, for some reason I'm here. And my teachings have been, "You're supposed to be where you're at, at the moment;" but, being a human being, I like to scientifically know why I am here, and I don't know yet.

So, good afternoon respected elders and our youth, our ladies and gentlemen. It is my pleasure to be here with you today, as a matter of fact, all week. I am glad that I did come. I really enjoyed the presentations that were given all week. It was very interesting. I would like to thank the organizers of the workshop, and especially Rob Walker, for allowing me the time on such a busy agenda that you have to address these important issues. I've been asked to speak for five minutes. Obviously, they haven't sat down with an elder yet. I like to speak from the heart, usually, but it's a little more than five minutes when you do that. So, I do have notes.

I am Clara Van Bibber. My nickname, which was given to me at birth by my two older brothers, is "Sis'. So, a lot of people know me -- my close friends didn't know my real name for many, many years. I am of the Wolf Clan, born into the

Wolf Clan of the Tr'ondek Hwech'in Nation, Dawson City. And my mother is from the Tr'ondek Hwech'in, and my father is from the Selkirk First Nations. So, I was born into a very, very large family on both sides of my parents. I wear many hats. I'm a mother of four and a grandmother of four, and I'm an auntie and a sister. I'm also the Community Support Coordinator, as well as the Deputy Chief. So, I guess that's why I get pulled here and there once in a while. I cover a lot of area.

So, as the TH Community Support Coordinator, I am encouraged that the Yukon is beginning to discuss ways to measure the socio-economic impacts of development in the Territory.

Just before I got up here, I was told that if you get nervous, to yawn. So, if you see me yawning every five minutes, it's not because I'm bored or not because I'm tired.

So there have been many good points made in the presentations of yesterday and today, and I thank the presenters for that. There was talk about some impacts that we have gone through, and Lori and different ones have mentioned them, and I really don't have to go there. But I would wonder how many know and understand the true effects that we are dealing with still today in our communities in regards to the impacts that we have gone through. There are many, many effects that we deal with in our communities. Our whole social programmings that I work in are dealing with the impacts of the residential school, with the Alcan Highway, the things that have been brought to our people in those areas. When assessing the social impacts of large projects, the social fabric of the First Nations need to be considered. Again, I mentioned the effects that we went through with the Alcan Highway, the goldrush, the residential schools. These effects were left behind for us to deal with.

In our community of Dawson, we are dealing with the effects that the mining, the Viceroy mining, has left us, and it was something that came and left. We were more or less promised 11 years of the Viceroy Mine in our area, and we were getting benefits from that. So, some of the things that happened was how the communities, the marketing, the businesses, you know, had to sort of upgrade and bring more products and things into Dawson, into their businesses to complement, I guess, Viceroy.

Many of our people were trained in this area. They had a training component, and a lot of them were trained to get jobs in Viceroy. They had high hopes, because they had 11 years of a very good high-paying job. And so, they went out, and a lot of them did borrow monies for different things, like trucks and whatever, buying homes and that. But lo and behold, they were only there for five years and they left. They're gone! So, we are still today working with our people in regards to some of those effects. We had to scramble around to help them out and to de-roll them out of that.

And the other thing is the reclamation. You know, I'm really glad that people are having to do reclamation today in areas that they dig up and that. And it was really nice that they tried to put things back together. They did planting of grass. I'm not sure if they did the trees and that. But am I ever going to go back up in that area and pick the berries that I used to pick and pick the plant life that I used to for medicines, to go up and see the animals that I once did see. There were some of our people who trapped in that area. Are they ever going to be able to trap there again? Those are things that we are left with today.

Again, with the residential school, a lot of things were left behind: the loss of language, culture, health and social aspects, the different traumas.

We have heritage programs in our communities. We're trying to again reclaim our language. Our language is our lifestyle. It's our culture. It's our whole being. Everything in our language is how we lived at one time. We're trying to do research, and we have an excellent heritage department at Tr'ondek Hwech'in. The fact is we don't have the capacity, though. We don't have the dollars to document a lot of that stuff; and those are things that can be used in any assessment that you do today. So, we need help in that area.

We'll also need not only dollars, but we will need the assistance to ensure that this happens through the offices that you will be setting up in the communities, the YESAA offices. So, we'll need your help, also.

The heritage values of an area also have to be assessed when looking at large-scale projects. What effects will digging in a gravel pit, used as a source of construction and material for the proposed bridge that's going to be built in the Dawson area, what effects will that have on the hunting patterns of the First Nations people and the migration patterns of the moose, which is one of the largest First Nation heritage resources is the moose and other game and plant life. I say "heritage resource" in the sense that we engage our traditions through our hunting, fishing and gathering. The moose, then, are a vital element in the practising of our traditions.

So, if large development projects disrupt the resources, where will the moose, et cetera, go? Are they forced to move on to quieter habitat, and what effect will that have on local First Nations' traditions and cultures? It's just a scenario. I'm not sure if the moose will move or if they'll stick around or what. We need to talk to them, I guess.

We do support development. We do support the oil and gas, also; but that doesn't mean to say that we're not going to take up the torch with our sisters and brothers of the Vuntut Gwitchin area and up that way in the fight of the ANWR area for the caribou, to keep the caribou there, the migration of them.

With that in mind, it is imperative on all of us to remember, when planning projects in the name of "progress", that we keep a critical eye on the potential effects on First Nations in particular and our communities in general. Let me be clear on one thing, before you start to think that I'm here to discourage development, I'm not. Development is a good thing, something we at Tr'ondek Hwech'in support. What we as stewards, though, of the Yukon have to figure out, however, is how we can move ourselves forward with the least amount of impact on the environment, the people and the communities that we serve.

I think I'm done, yes. So, I would like to once again thank the coordinators and the MC for allowing me to be here; and I thank you for listening.

LINDSAY STAPLES: Thanks, Clara, I didn't see you yawning, though.

Our next speaker is Bill Trerice.

BILL TRERICE: Like Clara, the time has finally come, it's finally here. First of all, I would like to thank Rob for inviting me; and second, I would like to thank everyone here for listening so carefully. As soon as I sat up here, I realized right away that people are very in tune, very focused, listening very clearly; and I appreciate that. I think everyone who has presented here appreciates that so far, as well. I think it demonstrates the importance of YESAA to the Yukon and to Yukon's future. From that I sat back this morning and went through a few things that I saw about YESAA I thought were important.

In my view, YESAA is a real opportunity to do something that is very unique in the Yukon. I think it's an opportunity to build the Government we should have created many years ago in my view. The first aspect of it is how it crosses jurisdictional lines. Many people have said that there are too many governments in the Yukon, too many institutions and so on; and quite possibly, but that's not really the point. I think we've established these -- especially the First Nations' have been established, and they're not going to integrate together, maybe on a tribal level, I doubt it on a regional level. I really like this aspect, because I'm really into understanding regional systems and how YESAA creates, in a sense, a Yukon regional system. So, instead of each person looking at their own world view and whatever comes to their desk or through your community, it's an opportunity to really look at the Yukon as one whole and as a government system. It's going to be an opportunity to develop a government system that is more reflective of the region.

Of course, public consultation, everybody has talked loud about public consultation and the importance of that, and I agree. Devolution, it's an opportunity to develop some of the process powers and whatnot at a community level, six communities in the Yukon. I think this is really important. I think we've concentrated too much influence in Whitehorse, and that's going to be a problem

for us in the future. I guess "devolution" is maybe not the right word, but I think everyone understands what I mean by shifting the government throughout the Yukon to better represent all of Yukon versus the urban base. How YESAA is very much a knowledge-base and information-base process. Every time that we use information and data, I think we benefit a lot; because it focuses us to really look at reality, as opposed to our own ideologies or what we've learned in the past and whatnot. By having information and data conducted in a scientific way, this is a way to really benefit from the world as it is and as it exists. Again, just on information and how it becomes its own entity in a sense.

So, from that, I would like to bounce to a different topic. This is what I've thought about in the past, and I don't really claim to be an expert in this area, but I've thought a lot about traditional economies in the past. We had a workshop four years ago back in DIAND. There are probably a few people maybe remember that; and I realized that traditional economies were important about 10 years ago when I was working in Pelly, and we did a local resource management planning project. This was pre-land claims and whatnot. And at the end of that whole process, it was gathering information, gathering data, making maps and trying to engage the community, which we never did properly at all; and I'll definitely take some responsibility for that. I didn't realize how important engaging people was at the time, and I do now certainly. But at the end of it all, what I realized was that up in Pelly we have a very large land base, and we have a very small and focused population; and there are not a lot of people who live on the land and who are engaged on the land in a really active, ongoing way. You have very active fish camps and a very active hunting seasons, and what-now. Trapping really dropped off in the '80's throughout the Yukon; but even more than that, there weren't just people on the land, gathering information, knowing what went on when things happened. So, I realized that if we were going to manage the land in the future that traditional economies or some branch of traditional economies or a version of traditional economies will be very important; because traditional economies ultimately I think provide the foundation to manage the land. I'll explain what I mean by that.

At one time, 200 years ago plus before the epidemics came through, the Yukon was evenly distributed somewhat. You know, people were not living in concentrated communities. They travelled across the land on a seasonal basis and there was only one type of development I think, and that was trails. They had a really complex trail network, a very efficient way of getting around. If you ever walk out in the bush, you realize that you can save a lot of time if you have a good trail. People realized that a long time ago, as well. So, the trail transportation system was very important, and it's something that has been really lost, and it's really unfortunate; because without trails, we cannot access the land. It's a very important aspect, and if you can't get out there, and then, you don't know what's going on, you lose your knowledge of what's happening in the area.

So, aboriginal people have lived in the Yukon for maybe 10,000 years or something, and in that time, they developed an economy that was based off of their environment, their surrounding environment. So, their economies were based on harvesting resources. In order to do that, they had to know where the resources were and how to utilize those resources without destroying them.

So, I think how this was achieved was by people living in small groups and how they would go from harvest opportunity-to-harvest opportunity throughout the year; but in a sense, they would always come back to a cycle. They would always go back to the same place eventually. Maybe it was every year, maybe it was every few years. I think this allowed them to have a really good understanding of a place; and as people developed knowledge through the generations, they were in the same place. So, they could go back to the same lake, and they could either tell stories about the resources in that lake or maybe it was related to how a lake would be dangerous in a sense. So, there would be stories about people drowning or monsters in the lake or these types of things; but within all these stories and whatnot, there was bits of information, information that was really important for people's survival, because before you had writing, you really had to have a way of condensing information and putting it in packages which people could remember and retrieve and it was something they were really going to live by, as well. It wasn't just something that they knew about but they weren't going to do if it -- all these stories were seen as probably real maybe in many respects, but I don't really claim to know a lot about that cultural aspect of it.

Traditional economies provided people an opportunity to engage with the environment through their harvesting largely, but also through prescribed burning; and I also heard that people would clear creeks and make sure that fish could get through, migration corridors and whatnot. Harvesting, like if you can imagine that if you had people who were fishing out of a certain lake for thousands of years, and then, suddenly today, for example, which is in the blink of an eye from the time things changed, considering how long they existed, in that short period of time, we have really stopped harvesting the land in many respects. We harvest on these transportation corridors now and rivers and stuff like this. So, we've really lost something that existed once, which I think is going to be really important to redevelop in the future, and that is use of the whole land; because when you use the whole land, you know about the whole land. When you know about the whole land and people live there and they live that, it provides, like Bob was saying earlier, the inter-generational opportunities to learn from the past generations, right, so very important.

Of course, that relates to traditional knowledge; and today when people talk about traditional knowledge, I think that we've really got to put the traditional knowledge within the traditional economy's context; because traditional knowledge is not as strong and it probably won't last as long as if you don't have people who live on the land. This doesn't mean that we have to go back to the

way of living that was like it was then, but I think we have to realize there were key things that were really important when it comes to using the land, you know, distribution of population, using all the different resources of the land, understanding larger cycles that take place in the environment. These are the types of things that we have to recompress into some type of new development model that is going to allow us to use the Yukon in ways that will be sustainable but also support larger social and government functions.

As you know, today we have a lot of problem with people under-employed, homelessness, substance abuse, these types of things. I always thought the most sensible thing to do is to help people get back to the land, because the land ultimately I think is the main vehicle to healing people and to developing health and providing people on the land to harvest resources also so we can get those resources back into the communities, both medicines and foods. This is another way of getting people to benefit.

So, the last aspect of traditional economies maybe is how it relates to environmental stewardship. Today we have -- you know, worldwide, we've all come too far from the environment. We live in communities now, and we have economies which import all the resources we need, along with money, lots of money; and this is just not -- it can't be sustainable in the long term. It is very much an artificial reality we've created, and it's not going to accomplish what we need to do in the future. We have real issues emerging in the future here in the Yukon, climate change probably being the biggest one, which everyone can recognize. We have to do more to protect the land in the future. I think that begins with developing a good understanding of the land.

From that, I would just like to go to the concept of regional systems and how we need to break up the government into -- not break up the government. You see, the Yukon, the environment itself is its own thing in a sense. It functions on its own, and you don't need people to analyze it, like you need people to analyze societies. So, in a sense, the environment exists and functions under its own intelligence in many respects, environmental designs and these types of things. So, when I talk about "regional systems", what I'm trying to focus on is how are we going to look at the whole region as one unit; and I think the way to do that is through developing sort of like models in a sense, models of the Yukon; so, to try to take the Yukon and convert as much of the reality that exists there into data and information, architectures and, you know, the types of analyses systems that allow us to crunch down watersheds or plant species or the interaction between the environment and the systems that take place and whatnot.

So, there is an initiative going on right now on a global level. It's called "Earth Observations", and what they are trying to do is do this on a worldwide level; and they're trying to integrate all the existing systems on a worldwide level into one integrated unit that could be used to study the entire environment worldwide and through that allowing people to better understand the relationships between, you

know, earth and natural systems, hydrology, energy from the sun and whatnot, the biosphere.

I think we need to realize this is going on at the global level, and we have to develop something similar on the regional level. So, a modelling system that is a way to organize all the information data that exists out there, scattered all around; and it's a way to identify the research gaps that exist. As we all know, there are many gaps in environmental research taking place.

So, it's not just the Yukon; when you think about models, it's not just the Yukon. Combining information is important for many other reasons, as well. So, cultural, for example, we need processes for people to organize their cultural information. We need more information about sociological, how people are actually functioning; and we need to know more about world context when it comes to, say, international economies or industries. So, if you have these regional systems in place, and they're not going to be in place for many, many years; but what they'll allow to be done with something like YESAA is when a project happens, people can very quickly pull together a lot of data sets that are already organized, and that's going to be a pretty big advantage. It will also allow people to not only organize -- once those models are created, in a sense, that represents a form of intelligence on its own, which people can examine it. So, a project can come in, and they can pull down the same types of information. That will help them to develop better plans. It will help them to input better projects. So, ultimately it's going to help the whole process in that direction, as well. It's going to make the process more efficient, because people are going to have more information in the front of the process; and then, the process institutions themselves will be able to use regional systems to better pull out information in a very quick and more comprehensive way possibly.

My final theme is I'm just trying to stress the importance of looking at the Yukon as one region, a regional unit, and stress the importance of how data and information are really the foundations -- should be the foundations of a lot of our modern ideas about government and governance in the Yukon.

Thanks.

LINDSAY STAPLES: Thanks, Bill, you've given us a lot to think about.

Dan Cresswell.

DAN CRESSWELL: Good afternoon, everybody. I guess when I was going to college here, they told me I should just write down a few notes; and maybe I should have done that, because I've got so much going through my head right now, it's just not funny.

These last two days, and then, last week, I was in a YESAA caucus on Friday. Then Wednesday and Thursday, I was at a decision body workshop for -- like, the governments are going to be decision bodies for YESAA, looking at some of the scenarios. When we look at First Nations values, to start understanding the values that we need to put into this, we have to look at where we've come from, and we also need to look at the trust that is needed to bring these values forward; because a lot of the trust that we placed in other governments in the past, we've kind of been let down. You know, we talk about traditional economies, and it's good to have that moose or sheep in the freezer; but a lot of my people don't have a moose or a sheep in the freezer this year, and it's for a number of different reasons. Some of them don't know how to go out and do it, because they've lost it because of the impacts that we've had with our people; but also, when we look at the Carcross Tagish area, the moose are under quota, the sheep are under quota. There is no caribou hunting. Goats are under quota. Fish are being impacted. Our salmon fishery is pretty much nil; and if you talk to the old people about what was in this country before, it's just amazing. It's like night and day.

So, not only are our people and our land and our wildlife all recovering, then we're looking at this, and we're saying, "Well, let's get a system in place so we can get ready for some more impacts, but we're going to have a little more say on how it's going to happen." A little impact to the moose right now could be devastating. For the caribou, we're talking about "death by 1,000 cuts." When do you stop, at 999 or at 500 or at 600, because the caribou, some time we're going to have to sit down with a vision of what we want in this area and say, "Okay, if caribou are going to be here, some day we're going to have to sit down and say, 'Okay, this is the very last rural residential application that's going to be accepted. This is the very last agricultural application that's going to be accepted'."

And I remember we were in a Forestry meeting, and we looked at all the stuff that was going on with Forestry; and I kept saying, you know, "It's the people in the community." The community has got to be able to have the diversity within this legislation to look at what they want for their community. If they want a community forest, a big industry can't come in and say, "Okay, we're going to set up a pulp mill, and we're going to get at her."

"No, no, no," we may have our own plan, our own vision of what needs to be done; and I think the Yukon needs a vision. We need to get together and say, "What do we want? What do we need? What do we need to sustain ourselves? These are our resources. How are we best going to use them in each area?"

And I think when we start looking at this, the designated offices and governments have to sit down and say, "This is our vision for this area. If somebody wants to come in and do something, they're going to have to sit down, and we're going to have to talk about it." It's going to take an awful lot of communication. It's going

to take a lot of trust. You know, we talk about government-to-government relationships. I know some of the First Nations have been signed off for going on 12 years, and they say that's one of the biggest problems is consultation and where is the government-to-government relationship? If those things are still working and still growing, and we're still evolving with that and we're looking at some major developments coming in, we're going to need an awful lot of trust; but we have to do this together. We talk about sustainability. Can the Yukon sustain itself without that big injection from Ottawa every year? Are we living in a false economy? Can we keep this up? Like, what do we need? We have to look at our resources, where we're going, what we've got; and I think we need to sit down and have an overall vision and communication.

When we were answering all these different coloured papers at our table, a lot of it came back to the same thing. It was communication and some visioning and community involvement. As long as we've got everybody involved, even if we make a mistake, at least if we're all doing it together, we can get out of it together hopefully, you know. We don't want to go too far down that path, but it's happened in the past. Can you imagine doing a YESAA on the goldrush! They came through Carcross. You know, there used to be thousands of caribou going by there, and now there are thousands of tourists. I don't get to eat caribou meat, and I don't even collect a dollar from those guys going by. We've got to slow them down and get some of the money going by, heading up to Alaska.

A lot of stuff is going through my mind, but I've got to mumble around here for five minutes just to figure out what I'm actually going to get talking about.

I think that's pretty much what I have to say, you know. It's going to take the community of the Yukon to get this job done, because we have to do it; and as governments, that's our job. I do know in Carcross, when I was with the leadership there, every four years the leadership would change. There'd be turmoil, nothing ever really got done. We went backwards an awful lot. A lot of development happened without us. When we went back to our traditional form of governance, we went from probably five-to-ten decision-makers running the organization for four years, and then, another five-to-six-to-to-ten would take over. When we went back to our traditional form of governance and got the grassroots people involved, got more of our direction going, where we wanted to go, what was our vision, we've probably got close to 140 people now making decisions, and the people are appointed. No one is elected anymore, and we've come an awful long way in a very short time.

We still haven't signed a land claim agreement yet. I guess by the end of next week, we will know if we will have another vote again. That's kind of a scary topic, too, going there, not having self-governing powers and relying on other governments to consult with us. All the mess that we're in right now, that's how we got there with our wildlife, with our people. So, if we do go down that road, when I look at the capacity of the First Nation in Carcross without having self-

governing powers, without having the injection of money that the other First Nations have had for anywhere from a year to 12 years, just the capacity for us to be able to respond to any of the big developments that may happen -- well, it's not "may". They will happen in Carcross area. I don't think 37 days is going to be able to cut it unfortunately. You know, we've seen a lot of stuff going on in Carcross. In the last several years there's been a 4 million dollar injection, but it's mainly just for cleanups, cleaning up the old mine sites, cleaning up the water, cleaning up the waterfront. We've seen an awful lot of cleanup, we've seen a lot of mistakes. We know what we don't want. So, I think, we all have to sit down and decide what we do want and get moving forward. Thanks.

LINDSAY STAPLES: Thanks very much, Dan. Again there's a lot to think about. I know it's late in the afternoon, but I did want to ask if there are people in the room from other First Nation communities that and again I know the hour is late, but I'm wondering if there are others who did want to offer up even some brief comments. What we've heard has been obviously really rich, and I think a lot of people may want to take the night to think about a lot of what's been said here. So, I'm not suggesting -- I'm going to depart if I could take the liberty of departing from the agenda and suggest we not go back into small groups at this point in the day unless people have great concerns about that; but I would like to provide opportunity for any other people from First Nations communities to speak if they'd like to at this point.

T.J.: Good afternoon, my name is T.J. otherwise known as "Nutsutz (phonetic)". I'm from the Kokaton (phonetic) from Wayna (phonetic) beside Atlin. Everybody knows it as "Atlin, little Switzerland of the North", but we know it as Wayna. What we're talking about here today is something that I've been working on now for quite some time, which is cumulative impacts; and that comes from the mining industry, aviation industry as well as human resources, which is us, our people. When I look at the impacts that happened, and it's been mentioned, over and over again the impacts of the goldrush, the Alaska Highway and residential school, to me is a burp in a history that has run for a few thousand years. But we continue to forget that when we look at impacts, we look at a line or a baseline that has been set up; and the question I have asked scientists and I have asked professors and I have asked industry is: Who is that line set for? Is it set for industry, or is it set for the environment? So, as a Tlingit person working all over Canada I decided to come back home under protection, because my job now is to protect, and for me it's to protect the land and the people and the culture and the language. So, I go back to that same question again. Who is that line set for? I still haven't had an answer. So, when I see this group sitting in here and talking about it, in the back of my mind, I figured this is a perfect opportunity and a perfect chance for everybody to get together now as people, as grassroots people, that come from every walk of life. Let us set that. Let us set that standard so that when an industry comes into our territory and I say "all" including everybody here who

comes from this area, when I say “all”, it means they come in, and they work to standards that we set, not government, not industry, but us.

Example; the effluent that is allowed to flow out in the Taku River from the Red Fern Mine is .007 parts per million. They still don’t know what it does to the fish; but I do know, as a Tlingit person, I would like that dropped down to .003. We give that much back to the environment. It doesn’t go into anybody’s pocket, it goes into the environment. So, we set our standards, not to the economy of the area or what we need, but we set it for the environment first. That is what‘s going to sustain us and our generations. If we set it so that when we have a big nation, like China, looking at us now to look at our resources to see if they can buy our resources, the people in the area come first before the minerals leave our country. That’s it. Gunałchîsh.

LINDSAY STAPLES: Thank you, T.J.

SHIRLEE FROST: Good afternoon, drayngeezy (phonetic). My name is Shirlee Frost. I come from the Vuntut Gwitchin First Nation. My present job, for the past 26 years, has been with governments at all levels, First Nations, Yukon Government, Federal Government. I believe I have a unique perspective. I’m kind of like from the outside-looking in when I look at my people and see what’s happening. I think my friend Dan talked about we needed a common vision. The Yukon First Nations, the forefathers, had this vision, and that’s why we’re all sitting here today, I believe. It was the *Umbrella Final Agreement* that set the stage for where we are today.

I love my job, and I love what I do. It’s encouraging the communities to work together, it’s encouraging partnerships and networking and information-sharing like we’re doing; because it’s tied to my own values as an aboriginal person, as an aboriginal woman that has a lot of responsibilities in my community and as a Yukoner and a Canadian. And I’d like to say that I see a lot of opportunity with this process and many other processes in the many chapters under the *Umbrella Final Agreement*, and I’d like to encourage you all to continue working with us. That’s what we want. That’s part of our values. We’ve always wanted to share, however, we will not sell our soul to do it. We are stewards of the land and the environment and all that is sacred to us that was given to us by the creator, and it is our job as humans to take care of this for future generations, not just for the aboriginal generations but for all the human race. Máhsin cho.

LINDSAY STAPLES: Thank you, Shirlee.

Are there others?

(No audible response)

LINDSAY STAPLES: Well, if I could, with that I'd really like to thank the panel. There were some wrinkles, as you understand, in putting this together; but I really can't thank the panel enough for what they've offered up to us. It's been a really, really rich afternoon for us and in that regard; and earlier today I think it was Bob Couchman who was talking about healthy communities and how important reciprocity is, and I would like to call the panel members up because there is some gift giving in exchange for your wonderful contributions this afternoon. So, thanks again very much.

If I could just before we call it a day and I know it's been a full day and a long day, I think we've come a long way today, if you think of where we've started this morning with sustained ability frameworks and significance determinations; and at this point in the afternoon we're talking with people who have a lot to say about, not just the importance of the land and how important the land and the wildlife on it is to the way in which people live. But there's a lot of talk here about the importance of community and the relationships and the ties that people have with one another. And I think it's really noteworthy that of all the presenters who came up here over the last day-and-a-half, this was the first group that really identified who they were as a husband and wife, a parent, a member of a community and so on, and I think that says something about the power and the importance of these relationships. Maybe that's something again we may want to think about overnight, and I think it speaks to Bill's point about we are part of a larger system and we are part of a network of relationships and these are important; and we're thinking about not just ourselves but all those that we're connected to.

So, I'd like to thank you all very, very much for today. It was interesting actually. Dan Cresswell said, "Gee, it would be interesting to do a YESAA assessment of the goldrush." Actually for those of you who can make it tomorrow afternoon, we are going to run a couple of case studies and actually, you'll have that opportunity tomorrow afternoon, among other scenarios, which actually I think will be a lot of fun. There's some other ones from the past, as well, that you'll have a chance to do an assessment on, such as the Alaska Highway Pipeline and the Faro Mine and so on.

Thanks very much for today and we'll look forward to seeing you tomorrow.

(Workshop Adjourned at 4:30 p.m. to February 3, 2005, at 9:00 a.m.)