

IAIA08: Training Course #1

## **Integrating Cultural Impact Assessment into Development Planning**

(alternative: Wrapping Our Heads around Cultural Impact Assessment)

- a) Level: Foundation
- b) Prerequisites: none
- c) Language: English
- d) Duration: 1 day
- e) Minimum participants: 10; Maximum participants: 30
- f) Names and contact details of trainers

Ciaran O’Faircheallaigh  
Professor of Politics and Public Policy  
Griffith University  
Brisbane, Australia  
[Ciaran.Ofaircheallaigh@griffith.edu.au](mailto:Ciaran.Ofaircheallaigh@griffith.edu.au)

Ginger Gibson  
PhD Candidate  
University of British Columbia  
Mining Engineering  
[vgibson@interchange.ubc.ca](mailto:vgibson@interchange.ubc.ca)

Alistair MacDonald  
Environmental Assessment Officer  
Mackenzie Valley Environmental Impact Review Board  
[amacdonald@mveirb.nt.ca](mailto:amacdonald@mveirb.nt.ca)  
ph: 867-766-7052; fx: 867-766-7074  
(corresponding trainer)

## Section 2 - Course Description

### a) Purpose and content

This course will raise awareness and provide tools to practitioners involved in planning for and/or assessing developments which might have cultural impacts. Cultural impacts can be felt in many ways: as alterations in the human environment that lead to or contribute to value shifts, pressures on/losses of heritage resources, or effects on/perceived changes to valued cultural landscapes that change their utility to culture holders. Cultural impact assessment is an under-developed and poorly conducted field, a major problem given that the protection of (particularly Aboriginal) cultural groups from adverse changes to the places they value is often at the forefront of impasses around development proposals.

This will be a foundation level course with no prerequisites, open to people who have not conducted or critiqued cultural impact assessments. It will cover the many ways that culture can be integrated into impact assessment. Different approaches, such as cultural landscape assessment, traditional knowledge studies, and culture change models will be described. Techniques for assessing impacts will be reviewed, including mapping, place names research, values elicitation, traditional ecological knowledge, surveys, interviews, and focus groups, among others. A traditional six step phased approach of impact assessment will be used. We will also discuss participatory and community based methodologies, which are often critically important to the identification of appropriate research questions and methods, the utility and accuracy of findings, and the appropriateness of mitigation strategies. Particular focus will be paid to mitigating cultural impacts, and how to design mitigation measures that are enforceable (e.g., building them into Impact and Benefit Agreements). We will be using case studies both real and hypothetical to highlight some of the key challenges of cultural impact assessment and how to overcome them. A variety of group exercises and plenary brainstorming sessions will be used throughout in this highly interactive forum.

## b) Detailed Course Description

The course will break down into three main sections (with time breakdowns for an 8:30am to 5pm workday provided):

1. An Introduction to Cultural Impact Assessment – 8:30-10:15am
2. The Six Steps of Good Cultural Impact Assessment
  - a. Scoping and Baseline Data Collection– 10:30-12pm
  - b. Impact Identification/Prediction, Mitigation, Significance, Follow-up and Monitoring – 1pm-3:30pm
3. Practicing What We Preach: Interactive Case Studies in “CIA” – 3:45-4:45pm  
(with time at the end for participant feedback forms to be filled out)

*NOTE: Some of the relevant materials will be sent out to participants ahead of time, including a survey, agenda, a mock development scenario and a preparatory question for our introductions (e.g., “Identify one type of cultural impact caused or contributed to by development that you are familiar with”).*

### **1. An Introduction to Cultural Impact Assessment**

We will start with a round of introductions, with participants asked to team up with someone else and introduce their “partner”. Participants’ responses to the preparatory question will be used to highlight the breadth of cultural impacts that can occur from development, and the Trainers will contribute a story or two of their own to this conversation.

Much of the remainder of the introductory section focuses on the presentation by two trainers of some major concepts in cultural impact assessment. Discussion foci, guided by a powerpoint presentation, include

- ◇ Different elements, manifestations and concepts of culture
- ◇ A brief history of cultural impact assessment
- ◇ Three main types of cultural impacts:
  - Impacts on “heritage resources”
  - Impacts on “cultural landscapes”
  - Impacts that impede cultural maintenance
- ◇ The role of cultural impact assessment in development planning today
- ◇ Challenges to good cultural impact assessment

The course will open by treating multiple notions of culture, helping to understand the many ways that it is defined. We will then look at how culture has been utilized in impact assessment. Cultural impact assessment can:

- ◇ identify the effects of a proposed activity;

- ◇ identify methods to avoid, remedy or mitigate adverse impacts on cultural values and heritage places; and
- ◇ assist proponents, decision-makers and the communities in overall (go/no-go) decision-making and planning for developments with minimal impacts on the cultural environment.

Different kinds of cultural impacts will then be outlined, such as those on heritage resources, places of special value, and the values and languages of groups. Special emphasis will be placed in this section on identifying the roles, responsibilities and typical perspectives (from our experiences) of the main players in cultural impact assessment: communities, government and developers. Some of the major challenges that are identified in this introduction will be those which we are attempting to overcome with the tools and methods discussed during subsequent sections of the Course (e.g., the common critique that cultural impact assessment is entirely “subjective, qualitative, touchy feely”).

Special attention during the “cultural impact assessment today” and “challenges” sections will be given to the role of communities. The process of conducting a cultural impact assessment is equally important as the outcomes. The ethics of community based research have been treated in various publications (Howitt 2005), and many guidelines exist on respectful engagement. However, cultural impact assessment continues to be relatively unpublished, given the needs and requests of clients. Discussion will be devoted to the process, ethics and guidelines that have moved cultural impact assessment forward. Ensuring that cultural impact assessment is done well often means involving the people who may be impacted. Participatory and community based methodologies for research will be treated in the introduction and broached throughout the course.

The intent of the introductory section of the Course is not to provide exhaustive overview of cultural impact assessment, but to highlight some of its promise and perils. The course binder will be referred to extensively as a resource that can be called upon if participants want to delve deeper into any specific subject.

Three opportunities will be provided for interaction during the introductory section. Beyond the introductions, there will be one “groupthink” session with each of the trainers moderating a group identifying specific types of cultural impacts under one of the three main types. In addition, there will be a plenary brainstorming session asking participants to identify challenges to good cultural impact assessment in their own words. This will be prior to the trainers introducing their own list of challenges.

## **2. The Six Steps of Good Cultural Impact Assessment**

This section represents the bulk of the training course. A “Six Step” approach will be taken, looking at cultural impact assessment as it progresses through: 1) scoping; 2) baseline conditions; 3) impact identification and prediction; 4) Impact significance determination; 5) mitigation; and 6) follow-up and monitoring. Each of these steps will be described, outlining the specific tools and techniques.

Participants will be forewarned that while a linear approach is being described for the sake of clarity in this course, cultural impact assessment steps may shift in order, overlap in time, and even double back in feedback loops. Nonetheless, the trainers will walk participants through some of the key elements of the following “Six Steps” of good cultural impact assessment, using the proposed (and entirely hypothetical) “Fort St. Elsewhere” mine as an example:

1. **Scoping:** understanding what elements of culture are important to whom, and determining which elements of culture might feasibly be impacted by the proposed development
2. **Baseline data collection:** this could also be called “gaining the cultural context”, and requires that before examining the likely impacts from a development, we need to know the historic, current and trend status of the culture(s) in question, through qualitative and quantitative means
3. **Impact identification and prediction:** In this section, approaches to cultural analysis and cultural impact assessment, such as cultural landscape assessment, mapping and traditional knowledge work will be reviewed. Obviously, there are overlaps with the baseline data collection work in this section; we consider Steps 2 and 3 to be the major analytical elements of cultural impact assessment. However, the focus herein will be on finding tools that can accurately/appropriately determine the likelihood of adverse impacts from the development in question (combined with other forces – cumulative impacts)
4. **Identifying appropriate mitigation:** We call this the “Imagination Station”, because we feel that imagination has been the main missing ingredient in finding appropriate and effective mitigations to cultural impacts. While making it clear that not all cultural impacts can be mitigated (an issue dealt with further in Step 5), innovative mitigation examples from negotiated agreements, formal impact assessment processes, community plans and strategies, and a variety of partnerships are examined. A central discussion point will be how to connect cultural mitigation into Impact and Benefit and other negotiated Agreements.
5. **Significance determination:** In formal impact assessment processes, this is a very important step. A couple of cases from the Northwest Territories in Canada will be used to examine the reasoning and values by which decision-makers determine the significance of cultural impacts. Discussion of the ramifications of such decisions is also invited from participants.
6. **Follow-up and Monitoring:** Often called “the missing link” in a variety of EIA disciplines, follow-up and monitoring has also proven problematic in cultural impact assessment. In our experience, follow-up and monitoring are

the areas most likely to be neglected in cultural impact assessment. Funds are simply not allocated to these key areas, and as a result the best laid intentions are forgotten. In our experience, defining budgets, roles and outcomes is critical to ensuring that agreements are monitored and enforced. However, enforcement (in the slippery area of culture) depends on identifiable targets, goals and measures. We will suggest, from our experience, some of the tangible means of enforcing agreements that help to protect cultural resources. We talk about the struggles to effectively ascertain whether mitigations are working, identify some good examples where cultural protections are working (effective monitoring of appropriate indicators, monitoring boards with capacity to effect adaptive management, effective cultural maintenance programs, strong funding from negotiated agreements, etc.), and talk about some ideas for the future.

Principles and “practicals” (on-the-ground solutions we have found useful) of best practice for each of the Six Steps will be covered in turn, with participants invited to brainstorm with us prior to our lists being offered up. In addition, we will likely have very short and focused (10 minute maximum) group discussions during Steps 2, 3 & 4, with a set agenda for discussion of how the impact assessors might go about assessing the Fort St. Elsewhere Mine. *Note: These short breakout groups will only be utilized if the three trainers each have a maximum of five people to facilitate; if there are more than 15 attendees, an alternative form of interaction will be developed.*

### **3. Practicing What We Preach: Interactive Case Studies in “CIA”**

In the final portion of the course, groups will be analysing elements of one of three real life cultural impact assessment case studies, and reporting back to the plenary (time dependent). Case study materials will be developed that highlight different conceptualizations of cultures. The three case studies will try and cover a variety of possible cultural impacts: on heritage resources, negative impacts on important cultural landscapes, and for overwhelming erosion of traditional values.

Two examples where a co-management impact assessment authority recommended rejecting proposals based on cultural impacts in Canada’s Northwest Territories will be used. In the first, Drybones Bay, the exploration was rejected on the basis of high heritage resources and the spiritual value of the very specific locale. In the second, Screech Lake, the exploration was proposed in a very small portion of a much larger area where the dominant culture group’s foundation stories were based, the Upper Thelon Basin.

Very rarely, if ever, are projects rejected outright if they are “merely” contributing to the decline in traditional cultural values; most often, mitigation is proposed. Types of mitigation (e.g., funds, programming, and avoiding locations or populations, language issues, not interrupting certain activities, cross-cultural programming, language programs in work site and home sites, among others) will be treated through a case study of the Argyle Mine in Western Australia.

The students will be encouraged in the case studies to work with the case study materials to identify unique and innovative methodologies and/or mitigation measures. A key problem identified by the trainers in past studies is the ability to enforce agreements and mitigation. Thus, we will focus students in the case studies on how to clearly identify budgets, roles and outcomes for enforcement and monitoring of impact and mitigation measures.

**Learning Outcomes:** The course will provide attendees with a better understanding of the complexity of how culture ought to be treated during Cultural Impact Assessment. It will also provide some of the essential tools and resources for conducting different types of cultural impact assessment, and a better understanding of the challenges of each of the "Six Steps of Cultural Impact Assessment" and how to overcome them. The process of conducting good cultural impact assessment will be discussed, including participatory methodologies and community based assessment. The course material package will include analysis of the two case studies, Tools and Tips sheets for cultural impact assessment, and an annotated bibliography of cultural impact assessment sources.

### c) Materials

*Note: All of the following will be available both in a Course Binder and in a course CD*

- ◇ Copies of PowerPoint slides
- ◇ Copy of the Mackenzie Valley Environmental Impact Review Board's *Socio-economic Impact Assessment Guidelines*
- ◇ The Mackenzie Valley Environmental Impact Review Board's *Reference Bulletin on Cultural Impact Assessment* (Currently in draft format, but previously distributed to attendees at the Review Board's series of one-day Socio-economic Impact Assessment Workshops)
- ◇ Ciaran O'Faircheallaigh's 2007 article, '*Protecting indigenous cultural heritage resources from the impact of mineral development*', presented at the 2007 Society for Applied Anthropology meetings.
- ◇ Richard Howitt's 2005 article, 'The importance of process in social impact assessment: Ethics, methods and process for cross-cultural engagement' from *Environmental Sciences and Pollution Management* (providing permission granted)
- ◇ Tipsheets on cultural impacts assessment methods, and tools, with reference citations
- ◇ "Frequently Asked Questions" on cultural impact assessment
- ◇ "Overcoming Challenges in the 6 Steps of Cultural Impact Assessment"; a series of one page "cheat sheets"
- ◇ Sample ethical guidelines for traditional knowledge and cultural impact assessment studies
- ◇ Two-page information sheets outlining the real life case studies being used during the workshop:
  - New Shoshoni Ventures mineral exploration program in Drybones Bay, NWT, Canada
  - UR Energy's mineral exploration program in the Upper Thelon Basin, NWT, Canada
  - Argyle Diamond Mine, Western Australia
- ◇ An annotated bibliography of cultural impact assessment sources

### d) Provisions for pre- and post-conference communication

The students will be sent a short survey in advance of the meeting to identify their experiences, goals and learning objectives. We will modify the course, select case studies, and shift our learning approach based on this data. During the course, we will encourage students to share materials with each other, and then we will undertake to share electronically the materials that were identified by the students. Often, in these courses, peer learning is the greatest long term resource. We will also endeavour to compile these materials and fill any gaps that were identified, sending materials out to students after the course is completed. A short (approximately five page) summary report of the course will be provided to attendees a couple of weeks after the course is completed, including comments from the feedback forms. Attendees will be encouraged



to keep in touch with each other and the trainers through the exchange of contact details in this summary report.

### Section 3 - Trainer Qualifications

#### **Professor Ciaran O'Faircheallaigh**

Ciaran O'Faircheallaigh has held research and teaching positions at the Australian National University, the University of Papua New Guinea and Queens University, Ontario. He has written numerous articles and books in the fields of public policy, resource economics and resources policy, negotiation, social impact assessment and Indigenous studies, and has just published a monograph on environmental agreements in Canada. Four of the courses that Professor O'Faircheallaigh has taught are (among 18 between 1998-2007): 1) Government, Regulation and Markets, 2) Indigenous Politics, 3) Political and Legal Environment, and 4) Economics of Resource Exploitation

During the last 15 years Professor O'Faircheallaigh has worked with Aboriginal communities on negotiation of mining agreements. An adviser and negotiator to Australia's leading Aboriginal organizations, including the Northern, Central, Kimberley and Yamatji Land Councils, he has run training sessions dealing with culture, impact and negotiations. From 1995 to 2001 he was Senior Consultant, Major Projects, for the Cape York Land Council and played a major role in negotiating a series of agreements for large mining projects on Cape York. Between 1998 and 2000 he served as Policy Adviser to the Queensland Indigenous Working Group, Queensland's peak Indigenous organisation in relation to native title, cultural heritage and resource management. He is currently completing a comparative study of negotiations involving mining companies and Aboriginal peoples in Australia and Canada, and working on a number of negotiations in the mining and oil and gas industries in New South Wales and Western Australia. A sample of recent consultancy contracts reveals O'Faircheallaigh's direct experience of the course matter:

- 2007 - Retained by the Kimberley Land Council to coordinate a major Aboriginal Social Impact Assessment of the Inpex Browse offshore gas field development and onshore gas processing facilities.
- 2007 - Appointed jointly by Rio Tinto Iron Ore (RTIO), Pilbara Native Title Services and the Manda Mia Central Negotiating Committee to advise on best practice standards in relation to negotiation of comprehensive agreements covering RTIO's iron ore operations in the Pilbara region.
- 2006 Retained by NSW Native Title Services to advise on negotiations between native title holders and Excel Coal Ltd.
- 2006 Retained by Cape York Land Council to provide advice in relation to exploration and mining provisions of proposed Eastern Yalanji native title determination.
- 2005/07 Provision of advice to Balkanu Cape York Development Council and Aurukun Shire Council in relation to commercial and sustainable development aspects of the Aurukun Bauxite Project.

## **Ginger Gibson**

Ginger Gibson has held research positions at the University of British Columbia and Rutgers University. She has written articles on sustainable development, public participation and social impact assessment and Indigenous studies. She is currently completing a PhD in northern Canada, researching the cultural impacts of diamond mining. Her research has been used to develop training in cross-cultural workshops at the diamond mines, as well as formulating negotiation training programs for indigenous communities. She is a Trudeau Scholar and Regional Director of IAIA Canada's Northern Branch.

As a researcher for the past ten years in northern Canada and Latin America, she has worked for many communities to provide data for decision-making and negotiation through the lifecycle of the extractive industries. Work in Canada has included consultation and evaluation of exploration proposals, operating mines, and closed and abandoned projects. Her work in Latin America provided socio-economic assessment, technical assessment, capacity building and dispute resolution training to communities in the region of Canadian and American mining companies. Gibson specializes in community-based methodologies and research. She is fluent in Spanish and French.

2004-ongoing—Retained by the Tlicho Government to provide technical expertise on socioeconomic and cultural research and Impact and Benefit Agreements.

2006 Retained to develop guidance document on traditional knowledge and community participation in mine reclamation based on interviews with elders through the diamond mine impacted region of the NWT.

2005 Consultant to Yellowknives Dene First Nation. Worked as lead in a project team of Yellowknives Dene First Nation members to identify appropriate locally based socioeconomic indicators at the community based level. Research involved focus groups, interviews, and surveys with elders, miners, youth, leadership and social services and education agencies through the communities. Work involved multiple community meetings.

2000-ongoing—Consultant to Lesser Slave Lake Regional Council. Ran two year research project and capacity building program on the socioeconomic and cultural impact of a hazardous waste spill (including PCBs, dioxins and furans) into Cree traditional territory.

2001-2005 Director, Mining Programs, CoDevelopment Canada. Managed Program in Mining, developing interest-based negotiations training programs and research for two Latin American mining communities in Bolivia and Peru, including two year project of community based action-research after Newmont's mercury spill in three indigenous populations.

## **Alistair MacDonald**

Alistair MacDonald is an Environmental Assessment Officer with the Mackenzie Valley Environmental Impact Review Board (MVEIRB) in Canada's Northwest Territories. The MVEIRB is the co-management body responsible for environmental assessment in that jurisdiction. His background is in Economic Geography – he received his Master's degree from Simon Fraser University in 2000 for a thesis looking at the changing political and social risk environments faced by Canadian mining companies in a rapidly globalizing industry. He has since written and researched extensively on corporate culture of mining, including

- Co-authoring a report on Access to Information in the Corporate Mining Sector
- Working on the Mining Minerals and Sustainable Development initiative, culminating with writing a book published by the International Institute for Sustainable Development on the North American mining sector
- Co-authoring an article on the changing nature of “sustainable development” as it relates to the minerals industry.

Since 2002, Alistair's work has focused less on the risks faced by companies from communities, and more on the impacts developments can have on people on the ground. He worked in 2002 and 2003 as Research Director for the Aurora Institute, a Canadian NGO that focuses on making corporations more accountable. While there, he researched and wrote about the reasons why Canada has been unable to develop a more environmentally friendly paper sector.

Working with the MVEIRB since 2004, Alistair has been at the leading edge of developing a more “human environment” centric EIA system in Canada's North. He was lead author in the MVEIRB's *Socio-economic Impact Assessment Guidelines*, released in early 2007, and has workshopped social, economic and cultural impact assessment tools and techniques with over 200 people throughout the NWT.

b) History of the Course: This is the first time this course has been run.

c) Other Courses/Training run by the principals

- ☐ During the last 15 years Professor O'Faircheallaigh has worked with Aboriginal communities on negotiation of mining agreements. He has been retained as an adviser and negotiator by many of Australia's leading Aboriginal organizations, including the Northern, Central, Kimberley and Yamatji Land Councils. He frequently runs multiple day sessions in training on negotiations with aboriginal communities in preparation for negotiations.
- ☐ Alistair MacDonald has run both large (120 participant, 2-day) and small (10-20 participant, 1-day) workshops on Socio-economic Impact Assessment in the Northwest Territories on behalf of the Mackenzie Valley Environmental Impact Review Board, to great success. For example, the most recent round of 1 day workshops garnered an average overall score of 4.35/5 from the 50 participants.
- ☐ Ginger Gibson has run workshops for communities and mining companies on negotiations, impact assessment, and cultural assessment. Examples include pioneering a more relationship-focused and relevant onsite cross-cultural training program for Ekati diamond mine, working with both the Tlicho and Yellowknives Dene in developing appropriate indicators for social and cultural impact assessment, and risk communication work with the Lesser Slave Lake Regional Council.